

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53849 of 2017

Arising Out of PS.Case No. -310 Year- 2017 Thana -BARBIGHA District- SEKHPURA

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1. Pinku Kumar, son of Satish Kumar @ Pappu Singh
2. Sintu Kumar, son of Satish Kumar @ Pappu Singh
Both Residents of Village-Kuseri, P.S.-Barbiga, District-Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the Opposite Party/s : Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are seeking anticipatory bail in connection with Barbiga P.S. Case No.310 of 2017 registered for offences punishable under Sections 341, 323, 307, 379, 447, 504 and 506/34 of the Indian Penal Code.

So far as petitioner no.1 is concerned, there are allegations against him of causing assault on the head by sword.

Learned counsel for the petitioners submits that as against specific allegation that petitioner no.1 had caused such injury by sword, no such injuries have been found by the doctors as all injuries except injury no. 4 are said to have been simple in nature and caused by hard and blunt substance. So far as injury



no.4 is concerned, it is attributed to the father of the petitioners.

There is no specific allegation of assault against petitioner no.2.

In the facts and circumstances, in case of arrest or surrender of the petitioner no.2 within a period of four weeks from today, he is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Sheikhpura in connection with Barbigha P.S. Case No.310 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

So far as petitioner no.1 is concerned, his prayer for anticipatory bail is rejected. However, if he surrenders in the court below within a period of four weeks from today and prays for regular bail, the same shall be considered keeping in view the materials available on the record and the opinion which is said to have shown those injuries attributed to petitioner no.1 as simple injury.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Arvind/-

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