

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55115 of 2016**

Arising Out of PS.Case No. -114 Year- 2016 Thana -PARAIYA District- GAYA

=====

1. Awadh Prasad @ Awadhesh Prasad,  
2. Ram Swaroop Prasad, Both sons of Late Ram Awtar Mahto,  
3. Parmanand Prasad, son of Awadh Prasad, All are resident of Village-  
Manjhar (Pahda) Police Station- Paraiya, District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Ram Naresh Ray, APP

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      13-01-2017                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

Petitioners are apprehending their arrest in a case  
registered for the offences punishable under Sections 341, 323,  
325, 307, 504 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that  
there is case and counter case between the parties and there are  
injuries on both sides and in the present case also the allegation is  
general. It is alleged that the petitioners assaulted the informant  
with lathi and danda and one of the injuries is alleged to be  
grievous in nature as cut injury.

Heard learned Additional Public Prosecutor also.



Having heard both sides, in view of the fact that there is case and counter case and allegations are general and though from the impugned order it appears that one injury on the head is cut injury and for which the informant was referred to ANMMCH, Gaya but there is no opinion in the record, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Gaya, in connection with Paraiya P.S. Case No. 114/2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with further condition that they will co-operate in the disposal of the case. If the injuries were found on the person of the informant later on found to be grievous in nature, it is also for the prosecution to move for cancellation of the bail of the petitioner.

**(Vinod Kumar Sinha, J.)**

Rakhi

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

