

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34439 of 2017

Arising Out of PS.Case No. -373 Year- 2015 Thana -DUMRAUN District- BUXAR

- =====
1. Ajay Singh,
 2. Vijay Singh, Both Sons of Late Baban Singh,
 3. Ujarawati Devi @ Gujarawati Devi, Wife of Late Baban Singh, All resident of Village- Nawadera, P.O.- Purana Bhojpur, P.S.- Dumraon, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikesh Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 17-10-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the state.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Dumraon (Naya Bhojpur O.P.) P.S. Case No. 373 of 2015 for the offences punishable under sections 341, 323, 324, 307, 447, 504 and 506 of the I.P.C.

Allegedly, the petitioners started digging the land which was given to three son-in-laws of the informant with spade and when the informant forbade them they started abusing and assaulting and they assaulted the informant with spade causing fracture in his leg and also injured his head and further they



caused threats to kill the family members.

Submission is of false implication and that there is case and counter case, only one injury has been received by the informant which is on the right thigh, no other injury has been received by him, no offence under section 307 of the I.P.C. is made out and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners by submitting that the petitioners are the aggressors.

In the facts and circumstances stated above, considering the injury report of the informant, the petitioners, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M, Buxar in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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