

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17749 of 2018

Arising Out of PS.Case No. -79 Year- 2017 Thana -BHARGAWAN District- ARRARIA

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1. Sameer Kumar Choubey @ Samir Chaubey S/o Late Akhilesh Chaubey
2. Amit Kumar @ Amit Mandal S/o Late Nabal Mandal.
3. Roshan Kumar @ Roshan Mandal S/o Pradeep Mandal
4. Pawan Kumar @ Pawan Mandal @ Pawan Kumar Mandal S/o Dharmdeo Mandal
5. Chandra Bhushan Kumar @ Nayan Mandal S/o Dharmdeo Mandal
6. Bijay Kumar Choubey @ Bijay Chaubey @ Tinu S/o Late Akhilesh Chaubey All Resident of Village-paikpar Ward No. 6, P.S. Bhargama, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 05-04-2018 Heard both sides.

The petitioners apprehend their arrest in Bhargama P.S.Case No.79 of 2017 registered under Sections 147, 149, 341, 323, 325, 307, 379 and 504 of the Indian Penal Code.

Arun Pandey, the informant named these petitioners along with other accused persons. Petitioner Sameer Chaubey and Natwar Singh are alleged to have assaulted Arun Pandey. Amit Kumar @ Amit Mandal and others who are not petitioners are alleged to have assaulted Lalan Pandey. Nayan Mandal and Pawan Mandal are alleged to have assaulted Lalan Pandey and Amit



Mandal petitioner no.2 and others are alleged to have assaulted Lalan Pandey. As such Lalan Pandey and Arvind Pandey got many injuries and on account of assault they also got grievous injury and got fractured in their hands.

Learned counsel for the petitioners seeks permission to withdraw anticipatory bail petition on behalf of petitioners no.2 and 3, Amit Kumar @ Amit Mandal and Pawan Kumar @ Pawan Mandal @ Pawan Kumar Mandal respectively.

Anticipatory bail petition made on behalf of Amit Kumar and Pawan Kumar is dismissed as withdrawn.

So far the case of Sameer Kumar Choubey @ Samir Chaubey, Roshan Kumar @ Roshan Mandal, Chandra Bhushan Kumar @ Nayan Mandal @ Nana Mandal and Vijay Kumar Chaubey @ Vijay Chaubey @ Tinu is concerned, there is general and omnibus allegation of assault against them and simple injuries are caused. There is counter version being Bhargama P.S. Case No.80 of 2017 from the side of the petitioners as many persons were injured. Also they got simple injury and the case is said to have been compromised.

Considering the facts aforesaid and the nature of allegation made against the petitioners, petitioners no.1,3,5 and 6, above named, in the event of their arrest of surrender before the



learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of C.J.M., Araria, in Bhargama P.S.Case No.79 of 2017 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Prabhat Kumar Jha, J)

AnilKrSinha/-

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