

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30603 of 2018

Arising Out of PS. Case No.-446 Year-2017 Thana- RAJAUN District- Banka

1. Murli Das
2. Bindeshwari Das
3. Rajesh Das

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Mustaque Alam

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-05-2018

Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,307,379,504 and 506/34 of the IPC.

The prosecution case got initiated with the written report of Brahmdeo Das dated 5.9.2017 submitted to the SHO, Rajaun Police Station is to the effect that on the same day at 9 P.M., the informant was sitting on his roof top, in the meantime, three petitioners came and started abusing the informant. On protest being made, they assaulted the informant with an iron rod, as a result, there was bleeding injury on the head of the informant. When the mother of the informant came to rescue then she was also being assaulted



and her silver chain was snatched by petitioner no. 1, Murli Das. It is also alleged that in the background of land dispute the assault has been made.

It is submitted by learned counsel for the petitioners that the accusation of assault is general and omnibus against all the three petitioners. The injuries have been found to be simple. Moreover, there is counter version of the occurrence as petitioner no. 1 lodged Rajoun P.S. Case No. 447 of 2017 with accusation under sections 307, 379, 147, 149, 341, 323, 324 and 504 of the IPC and admittedly, in the background of land dispute the accusation has been levelled.

Learned APP submits that the accusation of assault has been levelled against all the petitioners.

Considering the accusation being omnibus and general, injury not being found grievous and there is counter version of the occurrence, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Banka in connection with Rajoun P.S. Case No. 446 of



2017 subject to the conditions laid down in Section 438(2)
of the Cr.P.C.

(Dinesh Kumar Singh, J)

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