

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65111 of 2018

Arising Out of PS. Case No.-88 Year-2018 Thana- BISHWAMBHARPUR District-
Gopalganj

-
1. Shriram Upadhyay Son of Nagina Upadhyay
 2. Chandeshwar Upadhyay Son of Nagina Upadhyay Both are of
Resident of Village- Rampur Jivdhar, Police Station-
Bishambharpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Dr. Indiar Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018

Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,307,504 and 506/34 of the IPC.

The prosecution case is that on the order of petitioner no. 2, the petitioner no. 1 is alleged to have caused injury to the informant with repeated knife blow.

It is submitted by learned counsel for the petitioners that the petitioners are agnates of the informant and in the background of land dispute, the accusation has been levelled. Altogether three injuries have been found out of which, two injuries have been caused by a sharp cutting weapon and one has



been caused by hard and blunt substance on waist of the informant. However, all the injuries are superficial simple in nature.

Learned APP submits that the accusation is specific against the petitioners.

Considering the fact that for the occurrence of 26.7.2018 the FIR was registered on 28.7.2018 and the injuries have been found to be simple coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, 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 ACJM X, Gopalganj, in connection with Bishambharpur P.S. Case No. 88 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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