

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62203 of 2017

Arising Out of PS.Case No. -2659 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Manish Kumar,
2. Rahul Kumar Both are Sons of Lal Kishun Prasad, R/o Bakhtiyarpur,
Bazar, P.S.- Bakhtiyarpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanjit Prasad @ Neharu S/o Late Shiv Nandan Saw, R/o Dariyapur Gole,
Mohar Tola, P.S.- Kadamkuan, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Bachan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 2659 (c)/2015 registered for offences punishable under Sections 383, 384, 386, 379, 323, 324 and 34 of the Indian Penal Code.

The allegation against the petitioners and four unknown persons, who are whole sale cloth merchants, is that the petitioners and complainant are having their shops at City Centre Market near Vina Cinema, Station Road and quarrel took place between them for keeping their respective cloth bundles in corridor which was obstructing the way whereafter, the petitioners



along with others are said to have assaulted the complainant.

Learned counsel for the petitioners submits that there is general and omnibus allegation against the petitioners and in fact, no occurrence as alleged had taken place. It is further submitted that the shop keepers usually quarrel amongst them and the issues are generally trivial in nature. It is also submitted that the petitioners have got clean antecedents.

Having regard to the facts and circumstances of the case, I find that as far as the petitioners are concerned, at least they are entitled for grant of anticipatory bail.

Under the aforementioned circumstances, the above named petitioners are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within six weeks from today on furnishing bail bonds of Rs. 10,000/-(Rs. Ten thousand)each with two sureties of the like amount each to the satisfaction of learned Judicial magistrate , 1st Class, Patna in connection with Complaint Case No. 2659 (c) of 2015, subject to the conditions enumerated under Section 438 (2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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