

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37917 of 2018

Arising Out of PS. Case No.-136 Year-2018 Thana- KONCH District- Gaya

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1. Karu Das, S/o Late Jatan Das,
 2. Sanjay Das S/o Bhaju Das,
 3. Lakshman Das S/o Lohari Das,
 4. Arvind Das S/o Rajendra Das, All R/o Vill.- Kariyatar, P.S.- Konch, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-07-2018 At the outset, it is submitted by learned counsel for the petitioners that petitioner number 1 Karu Das and petitioner number 4 Arvind Das have been arrested. Hence, this application on behalf of petitioner numbers 1 and 4 has become infructuous.

Heard learned counsel for the petitioners and the State.

Petitioner Nos. 2 and 3 are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 448, 354, 379, 504 and 506 of the Indian Penal Code.

The prosecution case as per the written report of Praphul Kumar submitted to the SHO, Konch police station is to



the effect that on 03.04.2018 at 9:00 P.M. the informant was going to his village from Mau. On the way six accused persons including the petitioners surrounded the informant and said that the informant's wife is a witch. Thereafter, they started assaulting the informant. Somehow the informant escaped from the scene and reached home but Karu Das, Sanjay Das, Laksman Das and Lakhindra Das entered into the house and made assault to the informant and his wife. It is further alleged that co-accused Ranjan Das snatched golden chain of the informant's wife and co-accused Varun Das torn the blouse of the informant's mother.

It is submitted by learned counsel for the petitioners that accusation of assault is omnibus and general. The accusation of snatching golden chain is against co-accused Ranjan Das who is not petitioner before this court. Similarly the accusation of tearing blouse of the informant's mother is against co-accused Varun Das who is also not petitioner before this court.

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

Considering the fact that accusation is not specific against the petitioners, 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 A.C.J.M.-III, Gaya in connection with Konch P.S. Case No. 136 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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