

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55063 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- NAWADA MUFFASIL District- Nawada

1. Balram Singh
2. Hare Ram Singh
3. Niranjana Singh @ Niro Singh @ Niru Singh All sons of Late Balak Singh Resident of Village - Orhanpur, P.S.Muffasil, District Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Mr. Sri Nityanand

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the daughter of the informant was on the way, the accused persons teased and misbehaved her and after knowing it when the informant asked about the incidence, the accused persons came to his house and assaulted him and family members.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioners. There is a case and counter case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Muffasil P.S. Case No. 109/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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