

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54542 of 2018

Arising Out of PS. Case No.-734 Year-2017 Thana- KHAGARIA District- Khagaria

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1. Santosh Kumar,
 2. Govinda Kumar @ Govind Kumar
 3. Gautam Kumar All Sons of Krishndeo Das, R/o Vill.- Barkhandi Tola, P.S.- Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Smt. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

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

The prosecution case, in short, is that the accused persons including the petitioners came to the house of the informant and abused. The informant protested on which they assaulted him.

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 accused side has also been injured in course of the occurrence. The nature of 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.

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, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 734/2017 (G.R. No. 3059/2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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