

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57715 of 2018

Arising Out of PS. Case No.-63 Year-2018 Thana- DHURAIYA District- Banka

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1. Chamak Lal Sah,
 2. Jageshwar Sah, Both are sons of Saudagar Sah.
 3. Gobardhan Sah, Son of Saudagar Sah.
 4. Karma Sah, Son of Chamak Lal Sah.
 5. Mahant Sah, Son of Nityanand Sah, All are resident of Village- Chandpur, P.S.- Dhoraiya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey
For the Opposite Party/s : Mr. Sri Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 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, 324, 325, 307, 379, 504, 506 of the Indian Penal Code.

The prosecution case, in short, is that while the informant reached his house, the accused persons were abusing his mother and when he protested, he was assaulted by them due to which he sustained injuries.

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. The petitioners have falsely been implicated in the present case. There is general and omnibus allegation levelled against the petitioners. No specific overt act has been alleged against the petitioners. 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, Banka in connection with Dharaiya P.S. Case No. 63/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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