

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59919 of 2018

Arising Out of PS.Case No. -156 Year- 2018 Thana -TAJPUR District- SAMASTIPUR

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1. Rajesh Kumar Sharma @ Munna, Son of Arvind Sharma, Resident of Village- Kesho Narayanpur, P.S.- Tajpur Halai Distt.- Samastipur.
2. Raghubansh Kumar, Son of Ram Narayan Mishra, Resident of Village- Kishunwara, P.S.- Patepur, Distt. - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioners are apprehending their arrest in a case registered under Sections 307, 323, 324, 354B, 379 and 504/34 of the Indian Penal Code.

The prosecution case, in brief, is that in the backdrop of picking lichi, an altercation took place between the parties. In the meantime, the accused persons having armed with iron rod, lathi an Danda came there and assaulted the informant.

It has been submitted on behalf of the petitioners that the petitioner No. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have been falsely implicated in the present case. There is case and counter case between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

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

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 Additional Chief Judicial Magistrate-Ist, Samastipur in connection with Tajpur (Halai) P.S. Case No. 156 of 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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