

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73780 of 2018

Arising Out of PS. Case No.-4 Year-2018 Thana- KALYANPUR District- Samastipur

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1. Jagdish Pal, S/o Late Chulhai Pal, R/o Vill.- Birsinghpur, P.S.- Kalyanpur, Dist.- Samastipur.
 2. Bhuvneshwar Singh @ Bhuneshwar Pd. Singh, S/o Chanmdrabhan Singh, R/o Village- Lohiya Nagar, P.S.- Gaziabad, Dist.- Gaziabad (U.P.)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Sri Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-12-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kalyanpur P.S. Case No. 04 of 2018, disclosing offences under Sections 341, 323, 354, 379, 307, 447, 504 and 506/34 of the Indian Penal Code.

There are 5 persons named in the first information report, who were allegedly, armed with pistol, iron rod, *lathi* and *danda*, assaulted the informant. There is allegation against the petitioners that they assaulted the informant's son on his head. It is also alleged that they snatched some ornaments from the possession of the female members of the informant's family.

Learned counsel, appearing on behalf of the



petitioners, has submitted that the injuries have been found to be simple in nature and the case of the prosecution, as narrated in the first information report, is incorrect and exaggerated version of the occurrence, which had taken place, for which, a counter case has been lodged by the mother of the petitioner no. 1.

Considering the above submission and the fact that the petitioners have no criminal antecedent, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail 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 S.D.J.M., Samastipur in Kalyanpur P.S. Case No. 04 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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