

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65294 of 2018

Arising Out of PS. Case No.-275 Year-2018 Thana- GOGRI District- Khagaria

-
1. Rahul Muni,
 2. Bharat Muni,
 3. Dilip Muni
 4. Panchu Muni,

All are Sons of Bahadur Muni, All are resident of Village-
Pitaunjhiya, P.S.- Gogari, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned Counsel for the petitioners and learned
APP for the State.

Initially, it is submitted by learned counsel for the
petitioners, that petitioner no.2, Bharat Muni, has been arrested,
hence, this application with respect to him has now become
infructuous.

Petitioner nos. 1, 3 and 4 are apprehending arrest in a case
registered for the offences punishable under Sections 308, 323,
341, 379, 504/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 10.08.2018 submitted by Pramila Devi to the
Station House Officer, Gogari Police Station to the effect that



on the same day at about 8.00 A.M., the sons of the informant, namely, Sintu Kumar, Niranjana Kumar and Bideshi Muni were going to work as labourers. In the meantime, six accused persons, including the petitioners, started a dispute with the sons of the informant with regard to construction of road and abused and assaulted them with lathi and danda. It is specifically alleged that petitioner no.3, Dilip Muni snatched a mobile from one of the son of the informant worth Rs.7,500/-.

It is submitted by learned counsel for the petitioners that the petitioners are agnates of the informant and in the background of land dispute with regard to construction of road, the accusation has been levelled. Moreover, none have received any grievous injury. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned counsel for the informant that there is specific accusation against the petitioners, particularly, petitioner no.3 alleged to have snatched a mobile from one of the son of the informant.

Considering the nature of accusation, particularly the impugned order does not suggest any grievous injury being caused to anyone and genesis of the occurrence, coupled with



statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let petitioner nos. 1, 3 and 4 above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 CJM, Khagaria, in connection with Gogari P.S. Case No.275 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

