

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75405 of 2018

Arising Out of PS. Case No.-596 Year-2018 Thana- BODHGAYA District- Gaya

-
1. Md. Nasimuddin, Son of Late Md., Shamimuddin,
 2. Md. Suheb, @ Md. Sohaib S/o Late Md. Shamimuddin
 3. Md. Sohail S/o Late Md. Shamimuddin All Resident of Maiabhigha Colony, P.S. Bodh Gaya, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kunal Tiwary
For the Opposite Party/s	:	Mr. Mukeshwar Dayal
For the informant	:	Mr. Rakesh Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 354, 379, 427, 504/34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was at her home along with her family members, the the accused persons, variously armed, came and assaulted the informant and other family members due to which they sustained injuries.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against



the petitioners. The petitioners have falsely been implicated in the present case. Altogether five cases have been instituted in respect of the said occurrence. Two cases have been instituted by the petitioners and three cases have been instituted by the informant's side. A free fight is alleged to have taken place. 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 District & Sessions Judge, Gaya in connection with Bodh Gaya P.S. Case No. 596 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

