

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55003 of 2018

Arising Out of PS. Case No.-108 Year-2018 Thana- BARBIGHA District- Sheikhpura

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1. Parmanand Singh Son of late Ram Balak Singh
 2. Pawan Kumar Son of Parmanand Singh
 3. Golu Kumar Son of Parmanand Singh All Resident of Village-Pinjari, Police Station- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Rajkishore 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, 504, 448, 307, 354(B), 325 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was at his house, the accused persons came and assaulted him.

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. There is a land dispute between the parties. There is a case and counter case between the parties. The injury on the



accused side has not been explained by the prosecution. The prosecution has not come with clean hands. 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, Sheikhpura in connection with Barbigha P.S. Case No. 108/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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