

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60403 of 2018

Arising Out of PS. Case No.-96 Year-2018 Thana- SAUR BAZAR District- Saharsa

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1. Kamal Yadav Son of Nakchhedi Yadav
 2. Mani Kumar Son of Kamal Yadav
 3. Bibhishan Yadav @ Bibhishan Kumar Son of Kamal Yadav
 4. Guddu Kumar Son of Kulesh Yadav All resident of Village - Bhelba, P.S. - Sour Bazar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar
For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-12-2018 Earlier the anticipatory bail application of petitioner No.1 has been dismissed as withdrawn by order dated 06.10.2018.

Heard learned counsel for the petitioners No.2 to 4 and learned APP for the State.

The petitioners NO.2 to 4 are apprehending their arrest in a case registered under Sections 341, 323, 342, 379, 384, 307, 504/34 of the Indian Penal Code.

The prosecution case, in short, is that on 19.02.2018 the informant's son was coming to home along with Sikandar Sah by motorcycle, the accused persons including the petitioners surrounded them and assaulted them.



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. The petitioners have falsely been implicated in the present case. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. 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.

Considering the aforesaid facts and circumstances, let the petitioners No.2 to 4, 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. case No.96 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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