

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51871 of 2018

Arising Out of PS. Case No.-226 Year-2016 Thana- KHARHAGPUR District- Munger

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1. Narsingh Yadav @ Luro Yadav, S/o Late Prameshwar Yadav.
 2. Ganesh Yadav, S/o Late Parmeshwar Yadav.
 3. Raja Kumar, S/o Sikandar Yadav
 4. Lalu Kumar, S/o Sikandar Yadav
 5. Gautam Kumar, S/o Sikandar Yadav All resident of Village- Larui, P.S.- Kharagpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary
For the Opposite Party/s : Smt. Pronati Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 307, 504 of the Indian Penal Code

The prosecution case, in short, is that while the informant was sitting at his *darwaja*, the accused persons including the petitioners came with weapons and assaulted them in which the brother of the informant got injured.

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 case and counter case between the parties. The accused side has also



been injured in course of the occurrence. The nature of injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hand. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. After investigation, the police submitted final form against the petitioner but later on cognizance has been taken by the Court below.

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 A.C.J.M. IV, Munger in connection with Kharagpur P.S. Case No. 226 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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