

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52199 of 2018

Arising Out of PS. Case No.-93 Year-2018 Thana- BHARGAMA District- Araria

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1. Rajdev Rajak @ Rajesh Rajak
 2. Mukesh Rajak
 3. Ranjit Rajak @ Ranjit Kumar Rajak
 4. Pinku Rajak @ Akhilesh Rajak
All Sons of Mohan Lal Rajak.
 5. Arjun Kumar, S/o Rajdev Rajak
All Resident of Village-Sirsia Kala Ward No. 04, P.S. Bhargama,
District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das
For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 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, 149, 341, 323, 324, 307, 447, 354, 379 and 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 variously armed came and assaulted him. His wife came in rescue was also assaulted by the accused persons.

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 nature of 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.

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, Araria in connection with Bhargama P.S. Case No. 93/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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