

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58261 of 2018

Arising Out of PS.Case No. -165 Year- 2018 Thana -SIRDALA District- NAWADA

=====

1. Fagu Prasad son of Late Dukhan Yadav
2. Dipu Kumar @ Deepak Kumar, son of Fagu Prasad, Both resident of Village- Akauna, P.S.- Sirdala, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Smt. Sahin Begam

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-11-2018 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, 506, 307/34 of the Indian Penal Code.

The prosecution case, in brief, is that in the backdrop of a call made by petitioner No. 2 on his phone, dispute arose and the accused persons assaulted him with Gadansa and when his family members came to rescue him, they were also assaulted.

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 been falsely implicated in the present case. There



is case and counter case between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. The injury is said to be simple in nature. No offence u/S 307 of the Indian Penal Code is made out. Rest of the offences are triable by Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

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 Additional Chief Judicial Magistrate-V, Nawada in connection with Sirdala P.S. Case No. 165 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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

