

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4787 of 2018

Arising Out of PS.Case No. -162 Year- 2016 Thana -RAMKRISHNANAGAR District- PATNA

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1. Chandan Kumar @ Chandan @ Channa, S/o Niranjan Prasad, R/o Village- Sirchanpur, P.S.- Bihta, Distt- Patna.
2. Dharmendra Kumar alias Dharmendra, S/o Teni @ Ashok Prasad, R/o Village- Nandlal Chhapra, P.S.- Ramkrishna Nagar, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

- 2 05-02-2018 Heard the learned counsels for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Ramkrishna Nagar P.S. Case No. 162 of 2016 dated 30.07.2016 instituted for the offences under Sections 147, 148, 323, 341, 387, 307 and 353 of the Indian Penal Code.

The informant has alleged that while he was getting a drain constructed by government money, the petitioners and others came and demanded Rs. 2 lakhs before he could be permitted to undertake the construction. When the informant expressed his inability to pay the aforesaid amount, the petitioners are said to have assaulted the informant by means of sword.



Learned counsel for the petitioners has submitted that an absolutely false case has been lodged by the informant inasmuch as the petitioners are students and the injuries suffered by the informant (Annexure-2) completely belies the prosecution version of the informant having been assaulted by means of sword by two persons. It has further been submitted that a protest was made by the petitioners as the informant had been using substandard materials for the construction of the drain. This led to some kind of scuffle between the informant and his supporters/workers and residents of the colony where the drain was being constructed. The injuries suffered by the informant appeared to be of the nature of bruises and abrasion on non-vital part of his body.

The petitioners are persons of clean antecedents.

Considering the aforesaid facts, the petitioners above named are directed to be released in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Patna in connection with Ramkrishna Nagar P.S. Case No. 162 of 2016, subject to the



conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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