

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54857 of 2018

Arising Out of PS. Case No.-182 Year-2018 Thana- NAUTAN District- West Champaran

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1. Sikandra Prasad @ Sikendra Prasad, S/o Khedu Prasad,
 2. Bali Prasad @ Baali Prasad S/o Khedu Prasad,
 3. Khedu Prasad S/o Late Thakur Prasad, Both are R/o Vill.- Bishunpura Paterwa, P.S.- Jagdishpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 379, 354(B), 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in short, is that on the eve of marriage of his daughter, when the accused persons were assaulting the *baraties*, the informant went there but he 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. The petitioners have falsely been implicated in the



present case. There is a case and counter case between the parties. The 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. 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./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, Bettiah, West Champaran in connection with Nautan (Jagdishpur) P.S. Case No. 182 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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