

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43585 of 2018

Arising Out of PS.Case No. -109 Year- 2016 Thana -SAHKUND District- BHAGALPUR

- =====
1. Kanahaiya Poddar, Son of Upendra Poddar, Resident of Village- Rasidpur, P.S.- Sultanganj, District- Bhagalpur.
 2. Yogendra Poddar, Son of Ram Narayan Poddar,
 3. Tuntun Poddar, Son of Late Lale Poddar,
 4. Anthawan Poddar,
 5. Chabil Poddar, Both are sons of Late Ramdeo Poddar,
 6. Nitish Poddar, Son of Chabil Poddar, All are resident of Kapsona, P.S.- Sahkund, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 19-07-2018

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504 and 308/34 of the Indian Penal Code.

The prosecution case as per the written report of Dayanand Poddar dated 27.06.2016 submitted to the Station House Officer, Shahkund P.S., is to the effect that in the



background of dispute with regard to a road the nine accused persons came and made assault to the informant, his father and son. It is specifically alleged that petitioner no. 2, Yogendra Poddar assaulted the informant and son of the informant when co-accused Pankaj Kumar Poddar assaulted the father of the informant with lathi.

It is submitted by learned counsel for the petitioners that the injury has been found simple in nature and a statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP, however, submits that the accusation of assault has been levelled against the petitioners.

Considering the genesis of the occurrence and the injury being found simple in nature coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Bhagalpur in connection with Shahkund P.S. Case No. 109 of



2016, subject to the conditions as laid down under Section 438(2)
of the Cr.P.C.

(Dinesh Kumar Singh, J)

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