

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66355 of 2018

Arising Out of PS. Case No.-169 Year-2018 Thana- BAJPATI District- Sitamarhi

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1. Budhan Pandit, Son of Late Bilat Pandit,
 2. Suresh Pandit, Son of Budhan Pandit.
 3. Rupesh Pandit, Son of Budhan Pandit.
 4. Ram Ekbal Sahni, Son of Mahabir Sahni, All R/o Village-
Piprarhi, P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 Supplementary affidavit is filed on behalf of the
petitioners. Let it be kept on record.

At the outset, it has been submitted that during pendency
of this application, the petitioner No. 4 has been taken in judicial
custody and hence, this application as against the petitioner No. 4 has
become infructuous.

Accordingly, this application in respect of petitioner No. 4
is dismissed as withdrawn.

Heard learned counsel for the petitioner Nos. 1 to 3 and
learned APP for the State.

The petitioner Nos. 1 to 3 are apprehending their arrest in a case
registered under Sections 147, 148, 149, 341, 323, 307, 354, 379,
504, 506 of the Indian Penal Code.

The prosecution case, in brief, is that while son of the informant



and his son were returning home from market, in the way, the accused persons, surrounded them and abused. On protest, the accused persons assaulted them.

It has been submitted on behalf of the petitioner Nos. 1 to 3 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No. 1 to 3. Both parties are agnates. The nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner Nos. 1 to 3 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner Nos. 1 to 3, 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, Sitamarhi in connection with Bajpatti P.S. Case No. 169 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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