

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52273 of 2018

Arising Out of PS. Case No.-29 Year-2017 Thana- SATHI District- West Champaran

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1. Mukhtar Sah, S/o Late Rajbanshi Sah,
 2. Prem Kumar S/o Mukhtar Sah, Both R/o Vill.- Laxmipur Bari Tola, P.S.- Sathi, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-11-2018 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, 342, 323, 324, 307/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the husband of the informant by means of garasa on his head, due to which he sustained injuries.

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. From perusal of the case diary, it appears that there



is no injury report. It cannot be ascertained whether an offence under Section 307 of the I.P.C. is made out or not. Except for offence under Section 307 of the I.P.C, rest of the offences are triable by the Magistrate. Both the parties are agnates. There is admitted land dispute.

On behalf of the State, it is submitted that the petitioners are named in the 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) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Sathi P.S. case No.29 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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