

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39656 of 2018

Arising Out of PS.Case No. -244 Year- 2017 Thana -SIRDALA District- NAWADA

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1. Dilip Kumar @ Dilip Prasad.
2. Ajit Kumar. Both are Sons of Ram Prasad, resident of Village- Sukhnar,
Police Station- Sirdalla, District- Nawadah.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2018 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, 504, 506, 307/34 of the Indian
Penal Code.

The prosecution case, in short, is that when the informant
went out of his house to attend the call of nature, these petitioners
along with other accused persons, armed with various weapons
brutally assaulted the wife and daughter of the informant, namely,
Jaimanti Devi and Kanchan Devi respectively.

It has been submitted on behalf of the petitioners that there is
no allegation of tampering of witnesses alleged against the
petitioners. On earlier occasion also, similar case was instituted by
the informant's side. Most of the injuries except one i.e. on the



forehead of one Jaymanti Devi (wife of the informant), are on non-vital part of the body. The nature of injury has not been disclosed by the doctor, who has examined the victim. Hence it cannot be ascertained that the offence under Section 307 of the Indian Penal Code is made out. General and omnibus allegation has been made. No specific injury has been attributed against the petitioners. No deadly weapon is alleged to have been used in course of offence.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Sirdalla P.S. Case No. 244 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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