

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62234 of 2018

Arising Out of PS.Case No. -223 Year- 2018 Thana -PATORI District- SAMASTIPUR

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1. Ram Babu Rai, son of Late Samirath Rai.
 2. Sajan Kumar, Son of Ram Babu Rai.
 3. Sanju Kumar, Son of Ram Babu Rai.
 4. Rukmani Devi, W/O Ram Babu Rai. R/V- Mirjapur, P.S. Patory, District-Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party : Mrs. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 448, 341, 323, 324, 307,
354, 379/34 of the IPC.

The prosecution story, in brief, is that the petitioners
alongwith co-accused Rajan Kumar assaulted the brother, mother
and father of the informant with *Iron rod, Khanti, Lathi and*
Danda. As a result of which, father and brother became
unconscious. They also snatched chain worth Rs. 60,000/- from
the mother of the informant. Petitioner no. 1 Ram Babu Rai took



away *Attachi* from his house.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The nature of injury is said to be simple. Hence, no offence under Section 307 of the IPC is made out. Rests 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.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned C.J.M. Samastipur, in connection with Patory P.S. Case No. 223 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

