

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19593 of 2018

Arising Out of PS.Case No. -161 Year- 2017 Thana -PALIGANJ District- PATNA

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1. Banti Kumar @ Nand Kishore
2. Gorakh @ Rishu Raj Both Sons of Kamlesh Sharma Resident of Village
Hasanpura, P.S. Paliganj, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Singh

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with G.r.Case No.2470 of 2017 arising out of Paliganj P.S.Case no.161 of 2017 , registered for offences punishable under Sections 341, 323, 307, 504 & 506/34 of the Indian Penal Code.

Allegation against the petitioners is of assault to the informant causing injury.

Submission of the learned counsel for the petitioners is that the injury report is at para 29 of the case diary which shows that the injuries are grievous and para 30 of the case diary shows that father's name of the injured and the address is different and the age is also mentioned as 30 years in place of 50 years, which creates doubt about the injury report.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners surrender before the court below within a period of six weeks from the date of receipt of the order and on their surrender, they will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Danapur in connection with G.R.Case No.2470 of 2017 arising out of Paliganj P.S.case No.161 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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