

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55999 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- ARARIA District- Araria

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1. Brahmdev Rsidev @ Brahmdev Kumar, S/o Manichar Rsidev,
 2. Lalita Devi W/o Manichar Rsidev,
 3. Negara Rsidev S/o Polai Rsidev, All are Residents of Vill.- Chikni Garaiya, P.S.- Araria, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 323, 307, 354B, 379 and 504 of the Indian Penal Code.

The prosecution case, in short, is that in the back drop of land dispute, the accused persons assaulted the mother of the informant due to which she sustained injury.

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 petitioner has falsely been implicated in the present case due to previous enmity. The nature of injury is said



to be simple. Hence, no offence under Section 307 IPC is made out. Rest 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./complaint case.

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, Araria in connection with Araria P.S. Case No. 10 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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