

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71742 of 2018

Arising Out of PS. Case No.-130 Year-2018 Thana- PATORI District- Samastipur

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1. Birendra Ram @ Bilinder Ram Son of Shiv Narayan Ram Shiv Narayan Das
 2. Radha Devi wife of Birendra Ram, Both Resident of Village- Rampur Diyara, Police Station-Patepur, Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad
For the Opposite Party/s : Mr. Sri Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 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, 307, 323, 341, 354 and 504 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons came to the darwaja of the informant and called dian to his younger brother's wife. When she protested, she was assaulted 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 petitioners have falsely been implicated in the



present case. There is a case and counter case between the parties. A free fight is alleged to have taken place. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

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 A.C.J.M. -IV, Samastipur in connection with Shahpur Patori P.S. Case No. 130 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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