

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51981 of 2018

Arising Out of PS. Case No.-161 Year-2016 Thana- GOPALPUR District- Bhagalpur

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1. Yashwant Kumar Singh @ Yashwant Singh, S/o Prithwi Singh,
 2. Gautam Kumar Singh, S/o Yashwant Kumar Singh @ Yashwant Singh,
 3. Tukki Singh @ Bhisim Narayan Singh @ Tukki Kumar Singh S/o Yashwant Kumar Singh @ Yashwant Singh, All are R/o Vill.- Madhusudanpur Baisi, P.S.- Rangra (O.P.), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-10-2018

Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 427, 379, 504, 506/34 of the Indian Penal Code.

The prosecution case, in short, is that due to flowing of water into the street, a dispute arose in which when the informant objected, he and his family members were assaulted by the accused persons.

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. There is a case and counter case between the parties. As per the allegation, the



weapon used is sword but the injury report does not corroborate with the allegation as it is stated that injury is caused by hard and blunt substance. Both parties are villagers. The police after investigation submitted charge-sheet under bailable offence. The Court below differed with the same and took cognizance under non-bailable offence.

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. III, Naugachia, Bhagalpur in connection with Gopalpur (Rangra) P.S. Case No. 161/16, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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