

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66154 of 2018

Arising Out of PS.Case No. -322 Year- 2018 Thana -NAWADA District- NAWADA

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1. Chhotu Kumar.
 2. Nippu Sinha @ Nippu Kumar Sinha. Both are sons of Anil Kumar Verma, R/V- Baghi Bardiha, P.S. Warisaliganj, District-Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar Sinha, Advocate.

For the Opposite Party : Mr. Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2018 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 147, 148, 149, 341, 323
and 307 of the IPC.

The prosecution story, in brief, is that on 17.05.2018
at 5.00 P.M. while the informant was playing Cricket, petitioners
and co-accused Aman Singh alias Ilu came there with vehicle and
told him not to play here upon which, altercation took place
between the parties. Petitioners called some boys and all have
came with *Hockey, Fighter, Iron rod* and *Iron Chain*. Petitioner
no. 1 Chhotu Kumar assaulted him with *Iron rod* causing head
injury and fell down on the earth. Petitioner no.2 Nippu Sinha told



to murder him and thereafter the informant became unconscious and when he gained his sense he found himself in hospital. It is also alleged that in course of fleeing, petitioner no. 2 Nippu Sinha and 4-5 others thrashed his leg with the said vehicle.

It has been submitted by learned counsel for the petitioners that the petitioner no. 1 has 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. Nature of injury is said to be simple. Hence, no offence under Section 307 of the IPC is made out. The matter has already been compromised between the parties vide Annexure- 3 to the present application.

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., Nawada in connection with Nawada Town P.S. Case No. 322 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)

