

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3158 of 2019

Arising Out of PS. Case No.-385 Year-2018 Thana- BIHPUR District- Bhagalpur

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1. Ratnesh Kumar son of Baleshwar Kumar
 2. Tipin Kumar son of Gudar Kumar
 3. Baleshwar Kuwar, son of Late Medi Kumar
 4. Gopal Kumar, son of Nagina Kumar
 5. Kamal Kumar, son of Ramji Kumar
 6. Varish Kuwar son of Binod Kumar
 7. Akhilesh Kuwar son of Awadh Kumar
 8. Yoge Chaudhary @ Yogendra Chaudhary, son of Ramanand Chaouhary
 9. Pampam Kumar, son of Gopal Kumar
- All are Resident of Village - Jairampur, PS- Bihpur , Distt- Bhagalpur
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-02-2019 The petitioners apprehend their arrest in connection with Bihpur P.S.Case No. 385 of 2018 registered under Sections 147, 148, 149, 188, 224, 225, 307, 323, 337, 341, 353, 504 and 506 of the Indian penal Code.

Learned counsel for the petitioners submits that petitioner no. 6 has been arrested during the pendency of this application as such this application has become infructuous against him.

That being so, this application against petitioner no. 6 is dismissed as withdrawn.

Allegation against the petitioners is that while the police has gone to arrest Bipin Kumar with respect to execute the



permanent warrant of arrest, the accused persons including the petitioners have assaulted the informant and got the accused fled away.

Submission of learned counsel for the petitioners is that as a matter of fact permanent warrant of arrest has already been recalled by the court and the petitioner Bipin Kumar was acquitted in earlier case, but in spite of that, police has come to arrest him and in that occurrence some scuffle took place and as such petitioners have falsely been implicated in this case and from the report submitted by the trial court, it also appears that S.T.No. 270A/2000 with respect to accused Bipin Kumar, has already been disposed of in the light of compromise petition and Bipin Kumar has been acquitted in the same on 15.09.2018 and the permanent warrant of arrest issued against him is recalled.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, as stated above, let the petitioners no. 1 to 5 and 7 to 9, abovenamed, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM,



Naugachiya in connection with Bihpur P.S. Case No. 385 of
2018; subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

sujit/-

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