

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5833 of 2019

Arising Out of PS. Case No.-244 Year-2015 Thana- PIRO District- Bhojpur

1. Gola Kha Son of Samir Kha
2. Parbar Kha Son of Samir Kha
3. Buiya Kha Son of Samir Kha
4. Mulkam Khan @ Ashard Khan Son of Imane Kchuk Kha
5. Buchari Kha Son of Imane Kchuk Kha
6. Sarajun Kha Son of Imane Kchuk Kha All residents of Village - Milki Piro,
P.S.-Piro, District Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-03-2019 This is an application for grant of anticipatory bail in connection with Piro P.S. Case No. 244 of 2015, disclosing offences under Sections 147, 148, 149, 323, 341, 452, 380, 307, 504, 506, 325, 427 of the Indian Penal Code.

Allegation against petitioner nos.1 to 3 is of assault to the informant by rod, talwar and lathi causing injury to him and allegation of assault is also against petitioner nos. 4 to 6.

Submission of learned counsel for the petitioners is that prior to that a case has been lodged by the father of petitioner no.1 and thereafter the present case has been lodged against the petitioners and so far petitioner nos.4 to 6 are concerned, allegation against them is general and omnibus in nature.



Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for anticipatory bail of the petitioners stating that informant is not named in the counter case and injuries of the informant is grievous, which is attributed to petitioner nos. 1 to 3.

Having heard both sides, considering the above submission, so far petitioner nos. 4 to 6 are concerned, this application is allowed. Let petitioner nos. 4 to 6, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Bhojpur at Ara, in connection with Piro P.S. Case No. 244 of 2015, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

So far petitioner nos. 1 to 3 are concerned, I am not inclined to grant anticipatory bail to them, they should surrender and make prayer for regular bail, which will be considered on its own merit.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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