

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17155 of 2019

Arising Out of PS. Case No.-430 Year-2018 Thana- MEHSI District- East Champaran

1. Arvind Kumar Son of Shankar Rai Resident of Village- Chintamanpur, P.S.- Mehsi, District- East Champaran, Motihari.
2. Subodh Kumar Chaurasiya @ Subodh Kumar Son of Raghubir Chaurasiya Resident of Village- Chak Madari, P.S.- Mehsi, District- East Champaran, Motihari.
3. Avinash Kumar Son of Anil Chaurasiya Resident of Village- Chak Madari, P.S.- Mehsi, District- East Champaran, Motihari.
4. Bipin Singh Son of Ramayan Singh Resident of Village- Rampurwa, P.S.- Mehsi, District- East Champaran, Motihari.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Om Prakash Singh
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioners, O.P. No. 2
and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 324, 342, 448, 307, 325, 379, 436/34 of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons were loading the sand from stock of the informant and while the same was protested by the informant and his father, the accused persons started assaulting them.

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 been falsely implicated in the present case. There is case and counter case between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. The injury is said to be simple in nature.

On behalf of the State and O.P. No. 2 , it is submitted that the petitioners are named in the Complaint Case/F.I.R.

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 Additional Chief Judicial Magistrate-VI, Motihari, East Champaran in connection with Mehsi P.S. Case No. 430 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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