

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26323 of 2019

Arising Out of PS. Case No.-91 Year-2018 Thana- SHANKARPUR District- Madhepura

1. Kundan Kumar Son of Jai Kumar Mehta Resident of Village- Hasanpura, P.S.- Shankarpur, District- Madhepura.
2. Jawahar Mehta Son of Singheshwar Mehta Resident of Village- Hasanpura, P.S.- Shankarpur, District- Madhepura.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Uday Chand Prasad, Advocate

For the Opposite Party : Mr.Yogendra Kumar Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 17-07-2019 Heard learned counsel for the petitioners as well as learned counsel for the State and perused the case diary.

It is alleged that the petitioners and other accused persons assaulted the informant's brother with lathi, danda and rod and took away a mobile phone and a purse containing some cash.

Learned counsel for the petitioners submits that there is no specific allegation of assault attributed to the petitioners. Petitioners have no criminal antecedent, no incriminating article has been recovered from their possession and the F.I.R. has also been lodged after five days of alleged occurrence due to political rivalry. Learned counsel further submits that on perusal of the case diary it is clear that no one



has seen the occurrence.

In the facts and circumstances of the case, provisional anticipatory bail allowed to both the petitioners by previous order of this Court dated 23.4.2019, in connection with Shankarpur Police Station Case No. 91 of 2018, pending in the court of the Addl. Chief Judicial Magistrate-I, Madhepura, is confirmed with the conditions entailed in the said order.

(Prabhat Kumar Singh, J)

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