

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32304 of 2019

Arising Out of PS. Case No.-664 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. Chandan Kushwaha @ Chandan Kumar Kushwaha, Son of Raj Kishor Prasad, Resident of Village- Pasrama, P.S.- Gopalganj, District- Gopalganj.
 2. Lalbabu Kushwaha, Son of Shivpujan Kushwaha @ Shivpujan Bhagat, Resident of Village- Pasrama, P.S.- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 22-05-2019 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Gopalganj Town P.S. Case No.664 of 2018 for allegedly having committed the offence under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that though the medical report, which was called for, on which the entire allegation could be substantiated, could not be produced and therefore could not be substantiated, the anticipatory bail application of the petitioner has since been rejected. Learned counsel for the petitioners submits that both the parties are



agnates and there is a land dispute between the parties and they have been falsely implicated in connection with the present case. It is further submitted that the allegation that they had paid one Vinit Sharma and Amit Sharma to assault them is also a figment of imagination and the injury report does not corroborate the allegation of assault by *Talwar*. The injuries purported to have been inflicted have been found to be simple in nature.

Considering the aforementioned facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on 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 Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town P.S. Case No.664 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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