

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34379 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHISHI District- Saharsa

1. AKHIL KUMAR Son of Kishor Kumar @ Amar Jee Resident of Village-Kandaha Ward No.7, Police Station-Mahishi, District-Saharsa.
2. Ravi Shankar Kumar Son of Kishor Kumar @ Amar Jee Resident of Village-Kandaha Ward No.7, Police Station-Mahishi, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-08-2019 Petitioners seek bail in anticipation of their arrest in connection with Mahishi P.S. Case No. 40 of 2019 registered for the offences punishable under Sections 341, 342, 323, 324, 307 and 504/34 of the Indian Penal Code.

Prosecution case is that while informant was returning from the house of his nephew the petitioners and other accused persons dragged him from the motorcycle and assaulted him and there is specific allegation against petitioner No.1 that he assaulted the informant by farsa, causing injury on his head and petitioner No.2 has assaulted him by rod.

Submission of learned counsel for the petitioners is that FIR itself shows that sister of petitioner No.1 had love married with the informant and that is why they were in inimical term, as such



false and concocted case has been filed and as a matter of fact some altercation took place between the parties, which will appear from the fact that injuries sustained by the informant were found to be simple in nature (Annexure-2).

Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail of the petitioners.

In view of above facts and circumstances, let petitioners, in the event of arrest or surrender, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Saharsa, in connection with Mahishi P.S. Case No. 40 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the court concerned and further condition is that petitioners shall not make any threat to the informant and his family members.

(Vinod Kumar Sinha, J)

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