

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44498 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- EKANGARSARAI District- Nalanda

1. BHUWAN KUMAR @ SUWAN KUMAR Son of Late Vijay Bind Resident of Village- Pathu, Police Station- Ekangarsarai, District- Nalanda.
2. Birju Kumar Son of Lakhan Bind Resident of Village- Pathu, Police Station- Ekangarsarai, District- Nalanda.
3. Chhote Bind son of Late Surju Bind Resident of Village- Pathu, Police Station- Ekangarsarai, District- Nalanda.
4. Pacho Devi Wife of Lalan Bind Resident of Village- Pathu, Police Station- Ekangarsarai, District- Nalanda.
5. Mina Devi Wife of Late Bijay Bind Resident of Village- Pathu, Police Station- Ekangarsarai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Ekangarsarai Police Station Case No.129 of 2019 registered under Sections 341, 323, 307, 379, 337, 338 and 504/34 of the Indian Penal Code.

The accusation is that in the early evening of 26.05.2019, Bobby Kumar, the son of the informant Gyanti



Devi, was playing cricket with the boys near Primary School Parthu. At that time, hot exchange of words started between the boys, then Bobby Kumar returned to his house. Thereafter, six persons, named in the F.I.R., including the petitioners came at the house of the informant and started to cause assault to Bobby Kumar, the son of the informant, through the cricket bat. At that time, Mukesh Kumar, caused injury at the head of Bobby Kumar through the cricket bat and all also started pelting bricks and stones and started to abuse. In that course, Bhuwan Kumar (petitioner no.1) snatched the gold chain from the neck of Bobby Kumar, the son of the informant.

Learned counsel for the petitioners submits that while the petitioners are named in the F.I.R. along with Mukesh Kumar but the specific allegation to cause injury to the son of the informant through cricket bat is against Mukesh Kumar. While the allegation against the petitioner no.1 Bhuwan Kumar is to snatch the gold chain from the neck of the son of the informant but the same is super addition only to make the case non-bailable.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be



enlarged on bail on their furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the Additional Chief Judicial
Magistrate, Hilsa, Nalanda, in connection with Ekangarsarai
Police Station Case No.129 of 2019, subject to the conditions
laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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