

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48267 of 2019

Arising Out of PS. Case No.-359 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

1. KAMTA DAS Son of Late Nathun Das Resident of Village-Saida, P.S.-Makhdumpur, District-Jehanabad.
2. Raj Kumar Das Son of Late Nathun Das Resident of Village-Saida, P.S.-Makhdumpur, District-Jehanabad.
3. Pappu Kumar @ Pappu Das Son of Ram Janam Das Resident of Village-Saida, P.S.-Makhdumpur, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-08-2019 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,323,325,307 and 504 of the IPC.

The prosecution case as per the written report of Anil Kumar submitted to the SHO, Makhdumpur Police Station is to the effect that on 3.10.2018 while the informant was taking meal along with his brother-in-law namely Satyendra Das in his courtyard, in the meantime, the accused persons including petitioner nos. 1 and 2 entered into the house of the informant and started assaulting and



caused fracture injury to Ramu Das and head injury to Satyendra Das.

It is submitted by learned counsel for the petitioners that the accusation of assault is omnibus and general against the twelve accused persons though one of the injuries has been found to be grievous. It is further submitted that there is counter version of the occurrence being Makhdumpur P.S. Case No. 362 of 2018 registered for the offences punishable under Sections 147,148,149,323,325,307 and 504 of the IPC. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is accusation of assault against the petitioners also.

Considering the fact that the accusation of assault is omnibus and general against twelve accused persons when the accusation is not being corroborated by the medical opinion, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM,



Jehanabad in connection with Makhdumpur P.S. Case No.
359 of 2018 subject to the conditions laid down in Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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