

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57985 of 2019

Arising Out of PS. Case No.-390 Year-2018 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. DEEPAK KUMAR Son of Prakash Yadav Resident of Village-Ahoghat, Police Station-Sahebpur Kamal, District-Begusarai.
 2. Rahul Kumar Son of Prakash Yadav Resident of Village-Ahoghat, Police Station-Sahebpur Kamal, District-Begusarai.
 3. Brajesh Kumar Son of Gorakh Yadav Resident of Village-Ahoghat, Police Station-Sahebpur Kamal, District-Begusarai.
 4. Gorakh Yadav Son of Kesho Yadav Resident of Village-Ahoghat, Police Station-Sahebpur Kamal, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of S. Kamal P.S. Case No. 390 of 2018, disclosing the offence under Sections 147, 148, 149, 386, 387,323, 307, 379 of the Indian Penal Code.

It transpires from the First Information Report and the statement made in paragraph 3 of the application that the parties are on litigating terms. There is allegation of assault against the petitioners no. 1 and 2 with the butt of their firearms.

Learned counsel appearing on behalf of the petitioners



has submitted that had there being any intention to kill, the assault would not have been made by the butt of the firearms. It has then argued that injury has found to be simple in nature.

Considering the above, this application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, 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, Begusarai, in connection with S. Kamal P.S Case No. 390 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/ Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bounds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

T.Kr./-

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