

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70776 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- GHOSI District- Jehanabad

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1. Dharmendra Kumar, S/o Bhola Ram @ Bhola Singh
 2. Veeru Kumar, S/o Tunnu Ram
 3. Arvind Kumar, S/o Bhola Ram @ Bhola Singh
 4. Upendra Yadav @ Upendra Prasad, S/o Sri Yadav
 5. Sharwan Kumar, S/o Katho Ram

All R/o village- Lakhawar, P.S.- Ghosi, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Adv.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 27-11-2019 The petitioners seek bail in anticipation of their arrest in connection with Ghosi P.S. Case No. 167 of 2019, dated 12.05.2019, instituted for the offences under Sections 147, 148, 149, 307, 427, 323, 324, 504 and 506 of the Indian Penal Code.

Sixteen accused persons including the petitioners



have been named in the F.I.R. and the petitioners along with others are said to have assaulted the informant and others, leading to injuries on four persons.

The nature of injuries has been kept reserved till date.

There is a counter version of the occurrence as well in which, persons from the side of the petitioners have been injured. Some of them have even received serious injuries like fracture and injuries on vital portion of the body. This fact has not been mentioned in the subject F.I.R., which makes the present prosecution version doubtful.

Considering the aforesaid aspects of the matter and taking into account the fact that petitioner Nos. 1 to 4 have no criminal antecedents as has been stated in paragraph 3 of the bail application, they, in the event of their arrest or surrender before the learned Court below within a period of four weeks, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Judge-Ist,



Jehanabad, in connection with Ghosi P.S. Case No. 167 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

So far as the prayer for grant of anticipatory bail of petitioner No. 5 is concerned, the same is hereby rejected.

However, should petitioner No. 5 surrender before the Court below within a period of four weeks and seek bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application with respect to petitioner No. 5 has not been entertained by this Court.

(Ashutosh Kumar, J)

Praveen-II/-

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