

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82430 of 2019

Arising Out of PS. Case No.-250 Year-2019 Thana- GOPALPUR District- Patna

1. Chintu Kumar, aged about 22 years, Male, Son of Chhattu Rai, Resident of Village - Manpur Bairiya, P.S. - Gopalpur, District- Patna.
2. Dharwendra Kumar @ Dharmendra Kumar, aged about 31 years, Male, Son of Satyanarayan Singh, Resident of Village - Punadih, P.S. - Didarganj, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Suresh Singh, Advocate.
For the Opposite Party : Mr.Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 325, 504, 506 and 379/34 of the IPC.

The prosecution story, in brief, is that the informant has property dispute with his uncle Chhatu Rai and there is 144 proceeding on the disputed land. On 19.04.2019, co-accused Mukesh Kumar and Chintu Kumar (petitioner no. 1) both sons of Chhatu Rai, were putting *Basballa* on the disputed land and when the informant objected then above said two persons started abusing the informant. Co-accused Mukesh Kumar hit the informant with *Khanti* due to which, he got head injury. It is further stated that Chintu Kumar and the son-in-law of Chhatu



Rai also beaten him.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Nature of injury is said to be simple. Offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 Sub Judge-IX-cum-A.C.J.M., Patna, in connection with Gopalpur P.S. Case No. 250 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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