

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84927 of 2019

Arising Out of PS. Case No.-239 Year-2019 Thana- AURANGABAD TOWN District-
Aurangabad

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1. HIMANSHU KUMAR Son of Kamal Kishor @ Kamal Kishor Singh Resident of Village - Barkhurd Bedhni, P.S.- Aurangabad, District - Aurangabad, present residing at village - Ratanuwa Bhuyian Bigha, P.S.- Aurangabad, District - Aurangabad.
 2. Vinay Kumar Son of Pravesh Singh Resident of Village - Ratanuwa Bhuyian Bigha, P.S.- Aurangabad, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-12-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 341, 323, 307, 379 and 34 of the Indian Penal Code.

Informant has alleged that on 18.07.2019 at about 5.30 p.m. while he was going to her aunt's house, FIR named accused including the petitioners started assaulting by means of lathi, danda and iron rod on his head as a result of which, he sustained head injury and thereafter, further allegation is that Himanshu Kumar (petitioner no.1) snatched away the golden



chain.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case. The allegation of snatching golden chain is super addition and the nature of injury sustained by informant is simple in nature as per injury report enclosed as Annexure 2. There is case and counter case and case instituted by the petitioners are prior to institution of present case. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below in connection with Aurangabad Town P.S. Case No.239/2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their



absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

Sanjay/-

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