

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.876 of 2020

Arising Out of PS. Case No.-253 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

1. OHM PRAKASH BIND,
2. Pintu Bind @ Pintu Kumar,
Both Sons of Dinesh Bind
3. Dinesh Bind, Son of Late Mangru Bind,
All are Residents of Village- Admapur, P.S.- Sasaram (Muffasil), District-
Rohtas.
4. Moti Bind, Son of Late Jag Mohan Bind, R/o Village- Shahpur, P.S.-
Sheosagar, District- Rohtas.
5. Santosh Bind, Son of Sheo Murat Bind, Resident of Village- Semra, P.S.-
Sonhan, District- Kaimur, Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 341, 323,
379, 307, 504, 506, 34 of the Indian Penal Code.

Prosecution case is that as per FIR, on the basis of
written report given by one Sanjay Kumar alleging therein that
on 01.08.2019 at about 11.30 a.m. all the named accused
persons having armed came before the house of informant and



started to assault and abuses of the family members of the informant, then the informant asked to the petitioners why you have abused us, in the meantime, petitioner no. 1 assaulted by means of rod upon the head of the informant and he sustained injury upon head, then petitioner no. 3 blow rod upon the head of the informant sustained injury upon head and also blow rod upon the head of the informant and he dropped on earth. It is also alleged that petitioner no. 1 being snatched Rs. 20,000/- from his pocket and some ornaments golden chain from the neck of the informant and threatened for dire consequences and again threatened to exit from the house.

Learned counsel for the petitioners submits that there are specific allegation against the petitioner nos. 1 and 2 who have jointly assaulted by means of rod upon the head of the informant and he sustained injury upon the head. Inspite of that the petitioner no. 3 (father of the petitioner nos. 1 and 2), petitioner nos. 4 and 5 have also made accused in the present case by the informant without any reason. The informant had deliberately made accused in the alleged case. The doctor has found the injury no. 1 upon the head, injury no. 2 upon the shoulder, injury no. 3 on the left hand and the injury no. 4 on the stomach of the informant. All injuries were found simple in



nature. The petitioners have got no criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas at Sasaram, in connection with Sasaram (Mufassil) P.S. Case No. 253 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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