

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5748 of 2020

Arising Out of PS. Case No.-236 Year-2019 Thana- CHAUTHAM District- Khagaria

1. GANGESH KUMAR Son of Bidyanand Singh Resident of Village - Patel Nagar, P.S.- Chautham, Distt - Khagaria.
2. Bidyanand Singh Son of late Rohin Singh Resident of Village - Patel Nagar, P.S.- Chautham, Distt - Khagaria.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Ram Sumiran Rai, Advocate.
For the State	:	Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chautham P.S. Case No.236 of 2019/G.R. No.3017 of 2019 registered under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that before three days, when Abhishek Kumar and Nitish Kumar were abusing to each other, the informant had intervened into the matter and tried to convince them. Due to that reason, on 12.10.2019 in the evening, while the informant was in the way, at that time, Nitish Kumar, Gangesh Kumar (petitioner no.1) and Bidyanand Singh



(petitioner no.2) having iron rod and lathi in their hand came and, thereafter, from behind, Nitish Kumar caused assault at the head of the informant through iron rod due to which the informant sustained injury on his head. When the informant turned down his face, then the petitioners started to cause assault to him through lathi. On the alarm being raised by the informant, when the villagers rushed there, then all fled away from there.

Learned counsel for the petitioners submits that while it is alleged in the F.I.R. that one injury was caused at the head of the informant through iron rod by the co-accused Nitish Kumar and, thereafter, the petitioners caused assault to the informant through lathi but only one lacerated injury, simple in nature, was found on the head of the informant. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri S.M. Tripathi, Judicial Magistrate, First Class, Khagaria, in connection with Chautham



P.S. Case No.236 of 2019/G.R. No.3017 of 2019, subject to the
conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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