

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18158 of 2020

Arising Out of PS. Case No.-173 Year-2019 Thana- CHAND District- Kaimur (Bhabua)

1. AGNU RAM S/O Ramasray Ram R/O Village - Mahadaich, P.S. - Chand, District - Kaimur at Bhabua.
2. Yashwant Ram S/O- Ramasray Ram R/O Village - Mahadaich, P.S. - Chand, District - Kaimur at Bhabua.
3. Ramasray Ram S/O- Late Bhikhari Ram R/O Village - Mahadaich, P.S. - Chand, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 342, 323, 307, 504 and 506/34 of
the Indian Penal Code.

Prosecution case, in short is that while the informant after
performing work in Arhat, was returning his house, in the way,



the accused persons, in the garb of previous dispute, surrounded and started abusing and assaulting him by means of lathi, danda and iron rod, as a result of which, he sustained injury. It is further alleged that while informant's uncle came to rescue him, he was also assaulted as a result of which, the informant's uncle also received fractured injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. There is case and counter case between the parties. For a petty reason, the alleged occurrence is said to have taken place. The nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is made out.

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

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Kaimur at Bhabua in connection with Chand P.S. Case No. 173 of 2019



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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