

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 25076 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- SHRIKRISHNAPURI District- Patna

1. Anil Chandra Son of Awadesh Prasad @ Lallu Rai Resident of Mohalla - Post Office Gali, Behind Laxmi Complex, Boring Road, P.S.- Shri Krishnapuri, District - Patna.
2. Prakash Chandra Son of Awadesh Prasad @ Lallu Rai Resident of Mohalla - Post Office Gali, Behind Laxmi Complex, Boring Road, P.S.- Shri Krishnapuri, District - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-12-2020 Heard learned counsel for petitioners and learned
A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in Sri Krishnapuri P.S. Case No. 79 of 2020 registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

As per the prosecution case, on 02-03-2020, these petitioners alongwith their father Awadhesh Rai and 10-12 unknown entered into the office of informant and assaulted his son and also assaulted landlord of the informant.

It is submitted on behalf of petitioners that petitioners are own brothers. They are next door neighbour of the informant, who is builder, and the informant, being builder, used



to disturb the peaceful possession of the petitioners, as a result of which, a fight took place between the parties. There is general and omnibus allegation and from bare perusal of the FIR, it is apparent that there is no allegation of assault against landlord of the informant Sanjay Sinha, but a manufactured injury report has been issued in favour of Sanjay Sinha, which is annexed as Annexure 3 series to the petition. It is stated in paragraph – 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances and the fact that it is a case of simple *Maarpit* and petitioners have no criminal antecedent, the bail application of petitioners is allowed. In the event of their arrest or surrender within a period of eight weeks from the date receipt/production of copy of this order, let the above-named petitioners be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Sri Krishnapuri P.S. Case No. 79 of 2020, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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