

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74295 of 2019

Arising Out of PS. Case No.-59 Year-2019 Thana- KHANPURA District- Samastipur

1. Ram Sagar Das, age 67 years, Male, S/o Late Ram Dhari Das R/o village- Tedha, P.S.- Khanpur, District- Samastipur
2. Ramashrai Das @ Rama Shray Das, age 45 years, Male, S/o Ram Sagar Das R/o village- Tedha, P.S.- Khanpur, District- Samastipur
3. Naresh Das, age 35 years, Male, S/o Ram Sagar Das R/o village- Tedha, P.S.- Khanpur, District- Samastipur
4. Guddu Kumar, age 17 years, Male, S/o Ramashrai Das @ Ramashray Das Through its Guardianship of his mother Namely- Indu Devi, Age- 27 Years, Female, W/o Rama Shrai Das @ Ramashray Das, R/o village- Tedha, P.S.- Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 09-12-2020 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Khanpur P.S. Case No. 59 of 2019, G.R. No. 1112 of 2019 registered for offences under sections 341, 323, 342, 452, 504, 307/34 of the Indian Penal Code.

At the first instance, learned counsel for the petitioners submits that during pendency of this petition, the petitioner no.3, namely, Naresh Das has been arrested and seeks permission to withdraw this application as against the petitioner



no.3.

Accordingly, this application is dismissed as withdrawn as against the petitioner no.3.

In the present case, the First Information Report has been lodged by one of the victims stating that on account of throwing peel and thorns of Zalebi fruit, some altercation took place between the parties in which there is a specific allegation against Guddu Kumar (petitioner no.4) to have caused Lathi blow on the head of the Informant but, the victim, who was hospitalized, has made a statement that it is Naresh Das (petitioner no.3) who has assaulted by bamboo stick and, on that account, he became unconscious and was brought to the hospital where the treatment was made.

As per statement made by the learned counsel for the petitioners, Naresh Das (petitioner no.3) has already been arrested by the police.

Looking to the entire facts and circumstances of the case, let the petitioner nos. 1, 2 & 4, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Sub-Divisional Judicial Magistrate, Samastipur in connection with Khanpur P.S. Case No. 59 of 2019 (G.R. No. 1112 of 2019), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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