

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19042 of 2021

Arising Out of PS. Case No.-52 Year-2020 Thana- BARACHATTI District- Gaya

1. BABLOO KUMAR Son of Vijay Yadav Resident of Village - Kurmawan Tola Baheradih, P.S.- Barachatti, Distt.- Gaya.
2. Raghu Kumar Son of Late Rameshar Yadav Resident of Village - Kurmawan Tola Baheradih, P.S.- Barachatti, Distt.- Gaya.
3. Anil Kumar Son of Sugdeo Yadav Resident of Village - Bheriya, P.S.- Dhangai, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.S. Jamil Akhtar, Advocate.

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 10-01-2022 Heard Mr. S. Jamil Akhtar, learned Advocate for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners seek bail in anticipation of their arrest in connection with Barachatti P. S. Case No. 52 of 2020 instituted for the offences under Sections 147, 148, 149, 323, 325, 3047 and 504/34 of the Indian Penal Code.

The informant and his mother are said to have been assaulted by 12 accused persons including the petitioners. One of the injuries suffered by the informant is in the nature of



fracture of his hand, but that is not specifically attributable to any one of the accused persons, much less the petitioners.

Learned counsel for the petitioners has submitted that the stolen mobile set of one of the accused persons was found in the possession of the informant and therefore the occurrence took place. Learned counsel further submitted that though the petitioners have been named in the F.I.R., but they deny that they had ever participated in the occurrence.

It appears that because of theft of a mobile telephone and suspicion veering on the informant, a clash may have taken place between few people but the intention of the petitioners would not have been to cause any life-threatening injury.

Regard being had to the general nature of accusation against the petitioners, they are directed to be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Sherghati, Gaya in connection with Barachatti P.S. Case No. 52 of 2020 , subject to the condition as laid down under Section 438 (2) Cr. P.C.



The application stands allowed.

(Ashutosh Kumar, J)

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