

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37388 of 2015

Arising Out of PS.Case No. -104 Year- 2015 Thana -BELHAR District- BANKA

1. Naresh Pandit Son of Huro Pandit
2. Lal Mani Pandit @ Lal Muni Pandit, Son of Damo Pandit, Both are residents of village- Ranga Bazar, P.S. Belhar, District- Banka
..... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 11-09-2015

Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Belhar PS Case No.104 of 2015, disclosing offences under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that allegation of assault as against these petitioners is confined only to hitting the informant with *lathi*. He contends that the allegation is omnibus. Secondly, he submits that the dispute had arisen between the parties because the informant's side was demanding *chanda* for the purpose of *Aashari Puja*, with respect to which the petitioners' side have also instituted First Information Report on the same day, i.e. 4.6.2015.

Considering the submission as above, and the nature of accusation coupled with the fact that the petitioners have no criminal antecedent, this application is allowed.

Let the petitioners above named, in the event of their arrest or surrender before the Court below within six weeks from today, be released 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 Sub Divisional Judicial Magistrate, Banka in Belhar PS Case No. 104 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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