

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30571 of 2014

Arising Out of PS.Case No. -6 Year- 2014 Thana -MAHARAJGANJ District- SIWAN

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1. Munna Shahi Son of Late Bikram Shahi
 2. Prabhat Kumar Sahani @ Faltu Sahani @ Prabhat Kumar Son of Munna Shahi R/o Village-Paterha, P.S.-Mahrajganj, Distrit-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. Suresh Rai S/o Ram Dayal Rai R/o Village-Patehara, P.S.-Mahrajganj, District-Siwan.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anil Chandra, Advocate
For the Opposite Party/s : Mr. Dinesh Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 14-01-2015 Heard the parties.

The petitioners apprehend their arrest in connection with Maharajganj P.S. Case No. 6 of 2014 registered for offence punishable under Sections 384, 388, 354(D), 506 and 406 of the Indian Penal Code.

Mr. Anil Chandra, learned counsel appearing on behalf of the petitioners has submitted that initially a complaint case was filed by the complainant and which was subsequently registered as a police case under Section 156(3) of the Code of Criminal Procedure. He submits that the cause for institution of the case in question is in fact the marriage between the daughter of the informant with the petitioner no. 2 and evidence whereof are part



of the FIR instituted by the petitioner no. 1 against the informant of the present case and some others. With reference to the affidavit which forms part of FIR in the counter case, it is submitted by Mr. Chandra that the daughter of the informant in the present case and the petitioner no. 2 have got married on 3.7.2013 and it is being aggrieved by such decision that the case in question has been instituted. He submits that there are case and counter case between the parties and even the petitioner no. 1 has instituted a case against the informant and others arising from Maharajganj P.S. Case No. 6 of 2014.

Having heard learned counsel for the parties and taking note of the circumstances, let the petitioners Munna Shahi and Prabhat Kumar Shahi @ Faltu Shahi @ Prabhat Kumar in the event of their arrest or surrender within four weeks from today be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan in connection with Mahrajganj P.S. Case No. 6 of 2014 subject to the stipulations laid down under Section 438(2) of the Code of Criminal Procedures and with the condition that the petitioners shall ensure their representation before the court below on each and every date fixed and on failure on their part in doing

so on two consecutive dates without reasonable explanation to the satisfaction of the court below, would entitle the court concerned to cancel the bail bonds of the defaulting petitioner(s) and to take him into custody.

(Jyoti Saran, J)

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