

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40597 of 2015

Arising Out of PS.Case No. -54 Year- 2015 Thana -OBRA District- AURANGABAD

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1. Saket Kumar Son of Late Rameshwar Sharma Resident of Village : Murwan Kaithi, P.S. : - Goh, District : - Aurangabad (Bihar).
 2. Ranjan Pandey Son of Ramesh Pandey Resident of Village : - Obipur, P.S. : - Goh, District - Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar

For the Opposite Party/s : Mr. Shantanu Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-10-2015 Heard learned counsels for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 326, 307, 504, 34 of the Indian Penal Code.

The prosecution case is that during measurement and allocation of share of property, petitioner No. 2 Ranjan Pandey abused and assaulted with sickle on the head of the informant.

It is submitted by learned counsel for the petitioners that petitioners are son-in-law and brother of the daughter-in-law of the informant. Since the son of the informant died, hence maternal family members of the widow daughter-in-law were assisting her in getting the share of the

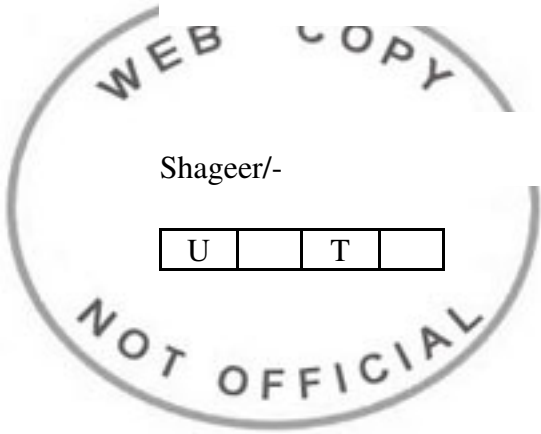
property and in that background the accusation has been levelled. Only one incised injury has been found on the left parietal region of the skull, as there is no accusation of repeating the blow and the daughter-in-law of the informant has lodged Complaint Case No. 218 of 2015 levelling accusation under Section 498A of the Indian Penal Code against the informant's side.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that specific accusation has not been levelled against petitioner No.1, let the petitioner No.1, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Obra P.S. Case No. 54 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Considering the nature of accusation in the background of nature of dispute between the parties from before, it is a case for consideration of prayer for regular bail of petitioner No. 2 namely Ranjan Pandey, if petitioner No.2 surrenders within a period of six weeks and pray for regular bail in connection with Obra P.S. Case No. 54 of 2015, pending

in the Court of learned Sub-Divisional Judicial Magistrate,
Daudnagar, Aurangabad.



(Dinesh Kumar Singh, J)