

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7853 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -GOVINDPUR District- NAWADA

1. Manoj Ram, Son of Late Kesho Ram
2. Thanu Ram @ Shiv Balak Rajbanshi, Son of Prasadi Ram
3. Mahendra Ram, Son of Shaman Ram All Resident of Village- Horildih,
Police Station- Govindpur, District- Nawadah.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Narsingh Tanti(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 04-04-2016 Heard learned counsel, appearing on behalf of the

petitioners, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises out
of Govindpur P.S.Case No. 104/2015, disclosing offences under
sections 147, 148, 149, 341, 323, 307, 448, 379, 504 of the Indian
Penal Code.

During the pendency of this application, petitioner no.1 is
said to have been arrested.

This application, so far as it relates to petitioner no.1,
stands dismissed as having become infructuous.

From the First Information Report, it appears that in the
process of immersion of idol of Goddess Laxmi, a quarrel took

place leading to institution of the present F.I.R.

Learned counsel, appearing on behalf of the petitioners, submits that no offence under section 307 of the Indian Penal Code is made out, inasmuch as no intention of killing is made out on the basis of the allegation contained in the F.I.R.

I find substance in the submission advanced on behalf of petitioners no. 2 and 3. This application is, accordingly, allowed.

Let petitioners no. 2 and 3, abovenamed, in the event of their arrest/ surrender before the court below within six 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 the Addl. Chief Judicial Magistrate I, Nawada, in Govindpur P.S. Case No. 104/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that petitioners no. 2 and 3 shall present themselves before the police/ court, as the case may be, as 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)

Surendra/-

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