

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14596 of 2016

Arising Out of PS.Case No. -369 Year- 2015 Thana -VAISHALI District- VAISHALI(HAJIPUR)

- =====
1. Sunil Bhagat Son of late Jai Nandan Prasad Ranjan
 2. Mahesh Paswan Son of Ajay Paswan Both Residents of Village Muhammadpur, PS and District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 21-04-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Vaishali P.S. Case No. 369 of 2015, disclosing offences under Sections 147, 148, 149, 341, 323, 324, 354, 307, 379, 447, 504 and 506 of the Indian Penal Code.

From First Information Report, it appears that a dispute over area of the land, which the informant and the accused persons possess, is the reason behind the institution of the F.I.R.

Learned Counsel for appearing on behalf of the petitioners submits that the injuries have been found to be simple which falsifies the prosecution case. According to him, the assault

is said to have been made by farsha in the First Information Report whereas the injury reports show that the injuries have been caused by hard and blunt substance.

Considering the submission as above, this application is allowed.

Let the petitioners, namely (1) Sunil Bhagat and (2) Mahesh Paswan, in the event of their arrest or surrender before the Court below within six weeks, 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Vaishali Police Station Case No. 369 of 2015, subject to the condition 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, 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.)

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