

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18921 of 2016

Arising Out of PS.Case No. -123 Year- 2015 Thana -BENA District- NALANDA
(BIHARSHARIFF)

=====

Lalan Kumar, son of Balkishun Prasad, resident of village- Dewariya, P.S.-
Ben, District- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Ben P.S. Case No. 123 of 2015, disclosing offences under
Sections 341, 323, 379, 308 and 504/34 of the Indian Penal Code.

The petitioner and the informant are full brothers.

It is alleged that the petitioner objected to cutting of
paddy crops by the informant. An altercation took place, thereafter
leading to registration of two First Information Reports, one
instituted by the informant and the other by the father of the
petitioner. Father of the petitioner is also an accused in the present
case.

Learned counsel for the petitioner appears to be right in his submission that it is intra family dispute, which is the reason behind lodging of the First Information Report.

Considering the genesis of the occurrence, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Nalanda at Biharsharif in connection with Ben P.S. Case No. 123 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 petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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