

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37237 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -BALRAMPUR District- KATIHAR

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1. Fulwa Parihar @ Fulwa Chaudhary, son of Late Domi Parihar
 2. Atwari Kumar Parihar @ Etwari Parihar son of Fulwa Chaudhary. Both are residents of Village - Sripatol, P.S. - Balrampur, District - Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Balrampur P.S. Case No. 23 of 2016, disclosing offences under
Sections 341, 323, 307 and 504 of the Indian Penal Code.

Learned counsel for the petitioners, referring to First
Information Report, has submitted that apparently, occurrence, if
any, had taken place over the petty dispute between the parties and
on the basis of what has been alleged in the First Information
Report, no case under Section 307 of the Indian Penal Code is
made out. It has also been submitted that allegation of snatching of
chain and ear-rings made in the First Information Report, are

ornamental in nature.

I find substance in submissions made on behalf of the petitioners, this application is, accordingly, allowed.

Let the petitioners, above-named, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Balrampur P.S. Case No. 23 of 2016, 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 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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