

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29181 of 2016

Arising Out of PS.Case No. -150 Year- 2015 Thana -NARDIGANJ District- NAWADA

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1. Lalan Chauhan
2. Bikas Chauhan. Both are sons of Late Dinanath Chauhan. Both are residents of village - Sirpatiya, P.S. Nardiganj, District - Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Mr. Sri Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Nardiganj P.S. Case No. 150 of 2015, disclosing offences under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

From the First Information Report, it appears that the informant alleged that he had given some land on lease to one Saryug Chauhan. Against rent, an amount of Rs. 72,000/- was due. On demand of the dues amount, the informant was asked to take the same from Munshi of brick kiln. Allegedly, when the informant went to collect the said amount, the petitioners abused him and assaulted him. It is alleged against the petitioners that they assaulted the informant by Khanti.

Learned counsel for the petitioners submits that no offence under Section 307 is made out in absence of any injury, found to be grievous in nature. It is also alleged that the petitioners have no criminal antecedent.

Considering the submission as above, this application is 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 Judicial Magistrate 1st Class, Nawada in connection with Nardiganj P.S. Case No. 150 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 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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