

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36714 of 2016

Arising Out of PS.Case No. -283 Year- 2016 Thana -LAKHISARAI District- LAKHISARAI

1. Krishna Pandit Son of Late Baleshwar Pandit
2. Suraj Kumar @ Suraj Pandit Son of Ram Bhajju Pandit
3. Birbal Kumar Son of Krishna Pandit All residents of Village : Gosai Tola Behind Gaushala, P.S.: Lakhisarai, District : Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh
Mr. Murlidhar

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 01-09-2016 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Lakhisarai Police Station Case No. 283 of 2016, disclosing offences under Sections 341, 380, 325, 307, 504, 354, 427, 323 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

Learned Counsel for the petitioners submits that the complaint petition, which is the basis for registration of the present First Information Report, was filed on 07.04.2015 with respect to an occurrence alleged to have taken place on 27.12.2014. He has submitted that the



complaint petition does not contain a plausible explanation for delay of more than three months in filing the complaint. It has further been submitted that as a matter of fact, the First Information Report registered on 11.02.2015 at the instance of the wife of petitioner no. 1 is the reason behind lodging of the present false case. It has been submitted that rivalry between the two parties is the reason behind lodging of the First Information Report against the petitioners.

Considering the above submission, this application is allowed.

Let the petitioners, namely, Krishna Pandit, Suraj Kumar @ Suraj Pandit and Birbal Kumar, 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, Lakhisarai, in connection with Lakhisarai Police Station Case No. 283 of 2016, 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.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J.)

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