

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42128 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -SISWAN District- SIWAN

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1. Chandradeep Prasad @ Chankit Prasad Son of Late Bujhawan Prasad
Resident of Village Padari, P.S.- Siswan, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 04-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of
Siswan P. S. Case No. 61 of 2016, disclosing offences under
Sections 341,323,324,307,504,506/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
because of land dispute between the parties, some altercation and
scuffle had taken place leading to institution of case and counter
case. He has submitted that all members of the same family
including female members have been made accused and the
allegations which have been made in the First Information Report
even if treated to be correct do not constitute an offence under
Section 307 of the Indian Penal Code. According to him all the
injuries have been found to be simple in nature.

I find substance in the submission advanced on behalf of the petitioner that the land dispute between the parties is the apparent reason behind the occurrence, if any, and cosequent lodging of the First Information Report.

Considering the above submission, this application is allowed. Let the petitioner above named, in the event of his arrest/surrender within four weeks from today in the Court below shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan, in connection with Siswan P. S. Case No. 61 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 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)

ArunKumar/-c

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