

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40230 of 2016

Arising Out of PS.Case No. -78 Year- 2016 Thana -JOKIHAT District- ARRARIA

1. Pawan Bhagat son of late Hajarilal Bhagat
2. Rama Devi wife of Pawan Bhagat Both are residents of village - Jokihat Bazar, P.S. - Jokihat, Dist - Araria.

..... Petitioner/s
Versus

1. The State of Bihar.

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Smt. Indu Bala Pandey, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jokihat P. S. Case No. 78 of 2016 registered for the offence punishable under Sections 341, 323, 324, 307, 379, 354 (B), 504 and 506/34 of the Indian Penal Code.

The prosecution case is that there was a property dispute between the members of the family and the petitioner No.1 being the own brother of the informant, there was some altercation between all brothers and their wives.

It has been submitted by the learned counsel for the petitioners that they are innocent and have been falsely implicated in the aforesaid case. It has been submitted that the injuries have

been found on the informants' side to be simple in nature and that the other co-accused on similar allegations, being the brother of the informant, has since been granted the privilege of anticipatory bail in Cr. Misc. No. 26218 of 2016 vide order dated 16.08.2016.

However, learned A.P.P. for the State submits that petitioners are named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since petitioner No.1 and the informant are own brothers and petitioner No. 2 is wife of petitioner No. 1 and that there is a resolution of the disputes between the parties, let the petitioners, named above, in the event of their arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Araria in connection with Jokihat P.S.Case No. 78 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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