

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41997 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -HATHAURI District-
MUZAFFARPUR

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1. Ram Dinesh Singh, S/o Late Yogendra Singh

2. Dipak Kumar, S/o Ram Dinesh Singh

Both are Resident of village - Berai, P.S. Hathauri, District
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Sinha

For the Opposite Party/s : Mr. Matloob Rab

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 30-09-2016 Heard the parties.

This application, for grant of anticipatory bail,
arises out of Hathauri P.S. Case No. 55 of 2016, disclosing
offences under Sections 341, 323, 307, 379, 504 and
506/34 of the Indian Penal Code.

The petitioners are father and son. The
informant and petitioner No. 1 are said to be first cousins.
From the First Information Report, it is evident that the

occurrence alleged took place over some *inter se* dispute between them over property. It is alleged that petitioner No. 1 assaulted the informant with iron rod on his nose. It is also alleged that the wife of the informant was also physically assaulted and co-accused, namely, Amresh Kumar, snatched the golden chain from the informant's wife.

Learned counsel for the petitioners has submitted that no offence, under Section 307 of the Indian Penal Code, is made out, on the basis of the allegation made in the First Information Report, and this being a family dispute, the petitioners should be given the privilege of anticipatory bail.

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 Sub-Judge-Xth-cum-Additional Chief Judicial Magistrate, Muzaffarpur**, in connection with **Hathauri (Muzaffarpur) P.S. Case No. 55 of 2016 (G.R. No. 2256/2016)**, 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.

(Chakradhari Sharan Singh, J)

Praveen-II/-c

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