

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.791 of 2016

Arising Out of PS.Case No. -240 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Bablu Kumar
 2. Dablu Kumar both sons of Late Vijay Singh,
Both are residents of village Khilwat, P.S. Bidpur, District- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-02-2016

This Court has roster of anticipatory bail of 2016, but the present one is of anticipatory bail application of 2015, the matter has been listed in view of the order of Hon'ble the Acting Chief Justice.

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 452, 354, 379, 307 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the accused persons variously armed came and started demolishing the boundary wall of the informant's house. On protest being made co-accused Ajeet Kumar @ Ajeet Kumar Singh and



petitioner no. 1 Bablu Kumar resorted to fire towards the informant. Thereafter the accused persons entered into the house of the informant assaulted and tried to outrage the modesty of the female members. It is specifically alleged against co-accused Ajeet Kumar that he torn blouse of the informant's wife and snatched Mangalsutra, whereas it is alleged against co-accused Pataleshwar Singh and Vijay Singh that they took away a box containing gold ornaments worth Rs. 1,00,000/-.

It is submitted by the learned counsel for the petitioners that in the background of bona fide land dispute the accusation has been levelled. Statement has been made in paragraph-3 of the petition that petitioners have no criminal antecedent. Moreover, no injury has been caused to anyone. Statement to that effect has been made in para-9 of the petition which reads as follows:

“That it is submitted that there is general and omnibus allegation against the all petitioners so there is no case made out under Section 307 of the Indian Penal Code and there is no injury report on the record of injured persons.”

Considering the aforesaid facts, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, 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, Vaishali at Hajipur in connection with Bidupur P.S.
Case No. 240 of 2014, subject to conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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