

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1104 of 2016**

Arising Out of PS.Case No. -179 Year- 2015 Thana -RIVILGANJ District- SARAN

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1. Sheo Kumar Ram son of Jagu Ram  
2. Sunil Kumar Ram son of Sheo Kumar Ram  
Both are resident of village Methawaliya Police Station Rivilganj, District  
Saran

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ganjendra Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar 2 (App)

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

3      16-02-2016                      At the very outset, it was submitted by learned counsel for the petitioners that during the pendency of the present petition the petitioner no. 2 has already been arrested. Accordingly, the petition in respect of petitioner no. 2 has become infructuous and as such, the petition of the petitioner no. 2 is dismissed as same has become infructuous.

Heard Sri Udit Narain Singh, learned counsel who was assisted by Sri Gajendra Kumar Singh, learned counsel for the petitioners and Sri Damodar Prasad Tiwary, learned A.P.P.

The petitioner no. 1, apprehending his arrest in connection with Rivilganj P.S. Case No. 179 of 2015 registered for the offence under Section 341, 323, 307, 504 / 34 of the Indian Penal Code has prayed for grant of anticipatory bail.

By way of referring to the F.I.R. learned counsel for the petitioner submits that as per the F.I.R. itself the fardbyan was recorded by the police officer of Bhagwanpur Police Station whereas as per the informant the occurrence had taken place within the jurisdiction of Rivilganj Police Station. He further submits that in the F.I.R. there was only an allegation of trying to kill the informant by using coconut rope in his neck. However while he was examined by the doctor which has come in the case diary incised wound was found. He further submits that there was case and counter case between the parties and both the informant's side and petitioner's side are *gotiya*.

In view of the facts and circumstances let the petitioner no. 1 Sheo Kumar Ram, in the event of his arrest or surrender, within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand ) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Rivilganj P.S. Case No. 179 of 2015 under the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure.

**(Rakesh Kumar, J)**

Praful/-

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