

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58154 of 2015

Arising Out of PS.Case No. -109 Year- 2013 Thana -SHANKARPUR District- MADHEPURA

- =====
1. Anil Mehta S/o Mahendra Mehta Resident of village -Kalhua, P.s Shankarpur, District Madhepura.
 2. Ashish Kumar S/o Anil Yadav resident of Village Tarkahi, P.s (Bharrahi O.P) Madhepura, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Madhuri Lata(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Shankarpur P.S. Case No. 109 of 2013, disclosing offences under Sections 147,148,149,323,324,307,354,379,504 506 of the Indian Penal Code and Section 27 of the Arms Act.

From the prosecution case as narrated in the First Information Report, it appears that the husband of the informant is the full brother of petitioner No.1. The occurrence evidently, took place out of property dispute between the brothers of the family. He further submits that there is no allegation of specific overt act against these petitioners. He also contends that there is no chance

of tempering with the evidence or fleeing away from the course of investigation or trial on the part of these petitioners.

Considering the genesis of the occurrence and the nature of accusation against the present petitioners, this application is allowed.

Let the petitioners above-named, in the event of their arrest/surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Shankarpur P.S. Case No. 109 of 2013 (G.R. No. 2921 of 2013), subject to the conditions as laid down under Section 438 of the Cr.P.C.

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)

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