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IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38688 of 2015

Arising Out of PS.Case No. -105 Year- 2015 Thana -JALE District- DARBHANGA

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1. Md. Arzoo.
2. Md. Suthre.
3. Md. Tabish.

All are Sons of Md. Shamshul Hoda @ Shambhu, all are resident of Village - Jaley, P.S. - Jaley, District - Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Adv.

For the Opposite Party/s : Mr. J.N. Thakur (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 11-02-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Jale P.S. Case No.105 of 2015, disclosing offences under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that it is evident from the First Information Report that

dispute over water drainage between the parties is the reason behind the institution of the present First Information Report. He submits that though there is allegation of assault made by sharp cutting weapon, the allegation is belied by the injury reports, which do not indicate any injury caused by sharp cutting weapon. He has further submitted that the petitioners have no criminal antecedent and there is no chance of them tampering with the evidence.

Considering the submission, as above, this application is allowed. Let the petitioners, abovenamed, 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 Chief Judicial Magistrate, Darbhanga**, in connection with **Jale P.S. Case No.105 of 2015**, 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, abovenamed, 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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