

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3148 of 2016

Arising Out of PS.Case No. -177 Year- 2015 Thana -SIRDALA District- NAWADA

1. Gariban Mistri, S/o Late Krit Mistri
2. Vikram Kumar, S/o Gariban Mistri Both Resident of Village- Bhatbigha,
P.S.- Sirdalla, District- Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Pramod Kumar Verma, Advocate.

For the Opposite Party : Ms. Pronati Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-01-2016 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 341, 323, 307, 324, 379, 504, 506 and 34 of the Indian Penal Code.

It is alleged that in the background of drainage dispute the accused persons including the petitioners came variously armed abused the informant. Co-accused Shankar Mistri pushed down the informant on the ground and started pressing the neck. When the daughter-in-law of the informant came to rescue then petitioner no. 2 Vikram Kumar assaulted her causing cut injury on her palm. When the son of the informant came to rescue then his gold chain was snatched by Chanchala Devi.

It is submitted by the learned counsel for the petitioners that in the background of drainage dispute the accusation has been levelled

against the petitioners. The injuries have been found to be simple and specific accusation of assault is not against petitioner no. 1.

Considering the facts aforesaid, let the petitioner no. 1 Gariban Mistri be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of 12 weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Nawada in connection with Sirdalla P.S. Case No. 177 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Considering the nature of accusation against the petitioner no. 2 Vikram Kumar, this Court is not inclined to enlarge the petitioner no. 2 on anticipatory bail. Accordingly, the same is rejected. Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Sirdalla P.S. Case No. 177 of 2015 pending in the court of learned Additional Chief Judicial Magistrate-V, Nawada.

Accordingly, this application so far as it relates to petitioner no. 2 is disposed of.

(Dinesh Kumar Singh, J.)

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