

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39566 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -KAARAMCHAT SAHAYAK District-
BHABHUA (KAIMUR)

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Fulan Dubey son of Chirkut Dubey, R/o Village Baheri, P.S. Karamchat,
District Kaimur at Bhabua. Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 26-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Karamchat P.S. Case No. 30 of 2016, G.R. No. 1584 of 2016,
disclosing offences under Sections 147, 148, 149, 341, 323, 35,
307 and 457 of the Indian Penal Code.

Allegedly, the petitioner, his wife and his sons entered
into the house of the informant for the purpose of committing
theft, they were noticed committing theft by the informant and
were caught. It has also been alleged in the First Information
Report that the accused persons thereafter assaulted the informant
and his family members.

Learned counsel appearing on behalf of the petitioner
appears to be right in his submission that the case of the

prosecution as has been alleged in the First Information Report is improbable and case and counter case have been lodged because of some pending dispute between the parties.

Considering the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Karamchat P.S. Case No. 30 of 2016, G.R. No. 1584 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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