

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43315 of 2016

Arising Out of PS.Case No. -164 Year- 2016 Thana -DESARI District- VAISHALI(HAJIPUR)

- =====
1. Bindeshwar Paswan son of Fugan Paswan.
 2. Sunil Paswan son of Bindeshwar Paswan. Both resident of Village- Khoksa Kalyan P.S. Desari, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 27-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Desari P.S. Case No. 164 of 2016, disclosing offences under Sections 147,149,341,323,354,379,447,504 and 506 of the Indian Penal Code.

It is alleged that petitioner Nos. 1 and 2 assaulted the informant with fists and kicks. On protest being made, the petitioner No.2 is said to have assaulted the informant with iron rod. It is also alleged that petitioner No.1 snatched earring of informant's sister-in-law and co-accused Devanti Devi took out a sum of Rs. 5,000/-(five thousand).

Learned counsel for the petitioners has submitted that it seems that some altercation might have taken place between the parties and the allegations made in the First Information Report are exaggerated version of the occurrence. She further submits, in the

background of nature of accusation, no purpose would be served if the petitioners are taken into custody since they are ready to present themselves before the police or the Court in course of investigation or trial, as the case may be, as and when required.

Considering the above, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sri Aditya Pandey, learned Judicial Magistrate-Ist Class, Vaishali at Hajipur in Desari P. S. Case No. 164/2016, 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 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)

ArunKumar/-c

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