

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34773 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -TARIYANI CHOWK District- SHEOHAR

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1. Sudhir Singh @ Sudhir Kumar Singh Son of Damodar Singh,
2. Mukesh Singh @ Mukesh Kumar Singh Son of Ravindra Singh, Both
resident of Village-Chhatauni, P.S.-Tariyani, District-Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Adv.

For the Opposite Party/s : Mr. Sri Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 15-09-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Tariyani Police Station Case No. 60 of 2017, disclosing
offences under Sections 341, 323, 325, 308, 504/34 of the Indian
Penal Code.

Learned counsel for the petitioners has submitted
the petitioners, who are of clean antecedent, are innocent and
have not committed any offence. In fact, there is dispute
between the parties, who happen to be co-sharer of the alleged
land, for cutting of maize crops and on account of that
altercation took place and both the parties have sustained
injuries and case and counter case has also been lodged by both



the parties. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let petitioner No.2, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Additional Chief Judicial Magistrate, Sheohar, in connection with Tariyani Police Station Case No. 60 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner No.1 is concerned, considering the direct allegation of assault on him, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the same is rejected.

(Arvind Srivastava, J)

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