

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46302 of 2017

Arising Out of PS. Case No.-37 Year-2017 Thana- CHANDRADEEP District- Jamui

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1. Vijay Sao, Son of Ishwari Sao,
 2. Prince Kumar Son of Vijay Sao, Both R/o Village- Manpur, P.S.- Chandradip, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. SRI MADAN KUMAR

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 22-12-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Chandradip P.S. Case No. 37 of 2017, disclosing offences under Sections 341,323,307,379,504 and 506 of the Indian Penal Code.

It is evident from the First Information Report that there is some dispute between the informant and the accused persons over partition in family property. The occurrence has taken place apparently because of such dispute. From the case diary, it appears that the injuries are simple in nature.

Learned counsel for the petitioners has submitted that even if the contents of the First Information Report are taken to be true, no offence under Section 307 of the Indian Penal Code can



be said to be made out in the absence of any intention to kill.

Considering the above submission and the fact that the injuries have been found to be simple in nature, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, Jamui in Chandradeep P.S. Case No. 37 of 2017, 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)

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