

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52211 of 2018

Arising Out of PS. Case No.-81 Year-2018 Thana- BAJPATTI District- Sitamarhi

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1. Shambhu Ray, Son of Bhuneshwar Ray,
 2. Bijli Ray, Son of Bhuneshwar Ray,
 3. Bhuneshwar Ray Son of late Satya Narayan Ray,
 4. Ram Sundar Devi, Wife of Bhuneshwar Ray,
 5. Chandrika Devi, Wife of Shambhu Rai. 1 to 5 R/o Village- Chingilkiya, P.S.- Bajpatti, District- Sitamarhi.
 6. Sujit Kumar @ Sujit Ray, Son of Late Naresh Ray, R/o Sihaniya Patti, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307, 354, 379 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was sitting at his *darwaja*, the accused persons including the petitioners came and started abusing him. Later, in the evening, the daughter of the informant was misbehaved and when protested, the accused persons again assaulted the informant and other family members.



It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Both parties are agnates. The alleged incidence is said to have taken place due to property dispute. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri at Sitamarhi in connection with Bajpatti P.S. Case No. 81 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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