

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72974 of 2018

Arising Out of PS. Case No.-545 Year-2017 Thana- BIHPUR District- Bhagalpur

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1. Lalita Devi Wife of Binod Sharma
 2. Monu Kumar Son of Binod Sharma
 3. Sumit Kumar Son of Binod Sharma All Resident of Village-Madhurapur,P.S. Bihpur (Bhawanipur), Distt.-Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Smt. Sahin Begam

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Bihpur (Bhawanipur) P.S. Case No. 545 of 2017, disclosing offences under Sections 341,323,308,325, 379, 354A, 506 and 34 of the Indian Penal Code.

The petitioners and informant belong to the same family.

Learned counsel appearing for the petitioners has submitted that there is a title suit pending between the parties in Civil Court. It has further been submitted that the allegation of assault in the First Information Report is general and omnibus. Allegedly, the accused persons assaulted the informant, his



father and his wife and snatched golden chain.

Be that as it may, since civil dispute between the parties appears to be beyond doubt and considering the nature of accusation, this application is allowed. The petitioners, above named, in the event of their arrest or surrender before the Court within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Naugachia, Bhagalpur, in connection with Bihpur (Bhawanipur) P.S. Case No. 545 of 2017, subject to the condition 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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