

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44875 of 2018

Arising Out of PS.Case No. -397 Year- 2014 Thana -BIHTA District- PATNA

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1. Shambhu Kumar S/o Late Shivpujan Ram, R/o Vill.- Dixitchak, P.S.-
Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Bihta P.S.
Case No. 397/2014, instituted for the offences punishable under
Sections 452, 341, 323, 504, 506, 354 and 509/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner and informant belong to same family. The ancestral
property was partitioned on 09.05.2010 by metes and bounds
through Panchayat between petitioner's father (since dead),
petitioner, his brother Ajay Kumar (husband of informant) and
Vijay Kumar. The instant case has been filed due to aforesaid
family dispute. There is general and omnibus allegation levelled



against this petitioner that he along with others entered into room of informant with ill motive and also assaulted her.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bihta P.S. Case No. 397/2014, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Danapur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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