

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46240 of 2018

Arising Out of PS.Case No. -127 Year- 2005 Thana -SHIWAPATHI District- MUZAFFARPUR

- =====
1. Harihar Sah, Son of Late Jagdeo Sah.
 2. Manoj Kumar, Son of Harihar Sah, Both are residents of Village-Bandhara, P.S. Sawaipatti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-08-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Sewaipatti P.S. Case No. 127 of 2005, registered for offence punishable under Section 302/34 of the Indian Penal Code.

As per F.I.R., allegation against the petitioners is of strangle the neck of the husband of the complainant by means of towel and assaulted him by means of legs and later on the husband of the complainant died.

Submission of the learned counsel for the petitioners is that the case was registered on the basis of complaint petition and after investigation, the police has submitted final report, not finding the case true and the cognizance has been taken against the petitioners. It is also submitted that the petitioner No. 1 is son of



own brother of the deceased, where as he petitioner No. 2 is son of petitioner No. 1 and there is land dispute of ancestral property. It is also submitted that the petitioners have no criminal antecedents.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners, above named on surrender or arrest within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Judge- IX-cum- A.C.J.M. Muzaffarpur, in connection with Sewaipatti P.S.Case No. 127 of 2005, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(Vinod Kumar Sinha, J)

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