

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10027 of 2018

Arising Out of PS.Case No. -194 Year- 2015 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
- 1. Sunil Kumar, S/o Tapsi Sahani,
 - 2. Tapsi Sahani S/o Late Sami Nath Sahani,
 - 3. Revti Devi W/o Tapsi Sahani, All R/o Village- Ujjain Lohiar Malahi Tola, P.S.- Harsidhi, Distt.- East Champran.

.... Petitioner/s

Versus

- 1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-02-2018 Learned counsel for the petitioners seeks permission to
withdraw the Bail application of the petitioner No. 1.

Permission is accorded.

Accordingly, the anticipatory bail application of
petitioner No. 1, is dismissed as withdrawn.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in
connection with Harsidhi P. S. Case No. 194 of 2015, Gr. No.
2577 of 2017, registered for offences punishable under Sections
341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

Now coming to the merits of the present case,
the case of the prosecution in brief is that accused
persons, including petitioners No. 2 and 3, had assaulted the



informant and snatched gold chain from the neck of the informant and took away Rs. 13,000/- from his pocket.

Learned counsel for the petitioners submits that as far as petitioner Nos. 2 and 3 are concerned, there is no specific allegation for any overt act against the petitioners and they have been falsely implicated in this case. It is also submitted that the petitioners have no criminal history.

Learned Additional Public Prosecutor opposes the prayer of bail.

In the facts and circumstances of the case and taking into consideration that the police has submitted charge sheet against these petitioners, the prayer of Anticipatory bail of petitioner Nos. 2 and 3 are allowed and in the event of their arrest or surrender before the 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 in connection with Harsidhi P. S. Case No. 194 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Motihari, subject to the conditions laid down under Section 438 (2) Cr. P. C.

(Mohit Kumar Shah, J)

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