

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45962 of 2018

Arising Out of PS.Case No. -17 Year- 2018 Thana -BELHAR District- BANKA

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1. Maheshwari Pandit @ Maheshwar Pandit Son of Kuldeep Pandit
2. Santosh Kumar Pandit @ Santosh Ku. Pandit Son of Maheshwari Pandit
3. Jasiya Devi Wife of Maheshwari Pandit All the resident of Village-
Ranga Bazar, Police Station- Belhar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Balram Kapri, Advocate

For the Opposite Party/s : Smt Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-08-2018

Heard the parties.

The petitioners seek anticipatory bail in connection with Belhar P.S.Case No. 17 of 2018, registered for offences punishable under Sections 341, 323, 324, 325, 307, 427, 448, 504 and 506/34 of the Indian Penal Code.

Allegation against the petitioners is of assaulting to the informant and other family members of the informant, causing injuries.

Submission of the learned counsel for the petitioners is that the petitioners have been falsely implicated in this case due to village politics and the allegation against the petitioner No.1 is of assault to the informant causing injury, which was grievous in



nature rather nothing specific has been attributed against the petitioner Nos. 2 and 3. It is further submitted that the petitioners have clean 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 petitioner No. 2 and 3, in the event of their arrest or surrender before the court below within a period of six weeks from the date of order, 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 the learned Chief Judicial Magistrate, Banka in connection with Belhar P.S.Case No. 17 of 2018, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure, subject to the 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.

So far as the case of the petitioner No. 1 is concerned, I am not inclined to grant bail to the petitioner.

Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrender before the court below within a period of six weeks from the date of order and make prayer for regular bail, same will be considered



by the learned court below on its own merit without being prejudiced by this order of this Court.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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