

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63101 of 2017

Arising Out of PS.Case No. -149 Year- 2017 Thana -GOPALPUR District- GOPALGANJ

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1. Bhuneshwar Ram Son of Sharda Ram @ Shardha Ram
2. Shardha Ram @ Sharda Ram Son of Late Ramrup Ram Both are
Resident of village- Baijalhan, P.S.- Gopalpur, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam
For the Opposite Party/s : Mr. Smt. Renuka Ratnakar
For the informant : Mr. Anirudh Kr. Verma
: Mr. Vyas Kr. Mishra

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-02-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Gopalpur PS case no. 149 of 2017 registered
for the offences punishable under Section 147, 148, 149, 447, 448,
427, 435, 452, 307, 379, 504, 506 of Indian Penal Code.

The case of the prosecution is that in the night of the
date of the alleged occurrence, the informant was sleeping in his
house when the accused persons came and set the house on fire
and thereafter, assaulted the members of the prosecution side.

The learned counsel for the petitioners submits that
no injury report is there in the case diary to suggest that any



grievous injury has been received by the members of the prosecution side. It is further submitted that barring one case, the petitioners have a fair antecedents and in the said case, the petitioners have been granted the benefit of Probation of Offenders Act.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail and has submitted that the entire house of the petitioner was burnt on account of setting the same on fire by the accused persons.

The learned A.P.P. for the State has referred to the case diary and from perusal of the same, I find that no incriminating material has been recovered from the place of occurrence so as to suggest that the house has been put on fire.

Having regards to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. XI, Gopalganj in connection with



Gopalganj PS case no. 149 of 2017 subject to the conditions as
laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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