

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61773 of 2018

Arising Out of PS. Case No.-779 Year-2018 Thana- SITAMARHI District- Sitamarhi

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1. Sanjay Kumar Chaudhary, Son of Ram Nandan Chaudhary
2. Nirma Kumari, Wife of Sanjay Kumar Chaudhary
Both Residents of Village- Mela Road, Bhavdepur, Ward No. 20,
P.S.+ District- Sitamarhi. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa
For the Opposite Party/s : Smt. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-10-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 308 and 504/34 of the IPC.

The prosecution case, as per the fardbeyan of Sunil Kumar Chaudhary, recorded by Station House Officer, Sitamarhi Police Station on 06.08.2018 at 3.50 PM at Sadar Hospital, Sitamarhi is to the effect that on the same day at 9.30 AM the informant was discussing with his father with regard to partition of the property in the family, in the meantime, the petitioners came whereupon petitioner no.1 assaulted the informant with iron rod and petitioner no.2 assaulted him with lathi causing injury on his chest.

It is submitted by learned counsel for the petitioners that the petitioners are the brother and sister-in-law of the



informant and in the background of partition dispute, the accusation has been levelled. The injury has been found to be simple superficial in nature. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the nature of accusation levelled in the background of partition dispute, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned **CJM, Sitamarhi** in connection with **Sitamarhi P.S. Case No. 779 of 2018**, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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