

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32641 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. Jalandhar Sahani, Son of Late Daulat Sahani,
2. Sardha Devi @ Sardha Devi, Wife of Jalandhar Sahani,
3. Chinta Kumari, D/o Jalandhar Sahani, All resident of Village- Nawalpur,
P.S.- Sahabganj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-06-2018

Heard the parties.

The petitioners are apprehending their arrest in connection with Sahebganj P.S. Case No. 172 of 2017, registered for the offences punishable under Sections 341, 323, 307, 427, 504 and 302, 34 of the Indian Penal Code.

Allegation as per the F.I.R. is of assault against one co-accused and petitioner no.1 with lathi to the deceased.

Submission of learned counsel for the petitioners is that so far petitioners no.2 and 3 are concerned there is no allegation of assault to the deceased and there is allegation of assault against petitioner no.1 but no specific allegation has been mentioned in the F.I.R.



Heard learned APP also.

Having heard both sides and in view of the allegation of assault against petitioner no.1, I am not inclined to grant him privilege of anticipatory bail. The prayer for anticipatory bail of petitioner no.1 is rejected. However, he should surrender before the court below within a period of six weeks from today and pray for regular bail and on his so surrendering the learned court below shall consider the same and pass a reasoned order on its own merit without being prejudiced by this order. So far as the petitioners no.2 and 3 are concerned, considering the allegation against them, let the petitioners no.2 and 3, above named, in the event of their arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- 1st Class, West Muzaffarpur, in connection with Sahebganj P.S. Case No. 172 of 2017, subject to the conditions as laid down under section 438 (2) of the Code of Criminal Procedure and further condition is that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.



This application is, accordingly, disposed of with the
above direction.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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