

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47756 of 2018

Arising Out of PS.Case No. -2 Year- 2016 Thana -KALYANPUR District- SAMASTIPUR

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1. Nil Kamal Nirala @ Neel Kamal,
 2. Pankaj Kumar Sahni @ Pankaj Kumar Nirala.
 3. Raja Kumar Nirala @ Raja Sahni All are Sons of Muneshwar Sahni, R/o Vill.- Jagdishpur, P.S.- Kalyanpur, District- Samastipur.
 4. Vinod Sahni @ Binod Sahni S/o Late Sahdeo Sahni, Residents of Vill.- Simra, P.S.- Sadar Darbhanga, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Smt Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-08-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Kalyanpur P.S.Case No. 2 of 2016 (G.R. No. 26 of 2016), registered for offences punishable under Sections 341, 323, 324, 308, 504/34 of the Indian Penal Code.

As per F.I.R., allegation against the petitioners is of assault with Daab on the head of the informant, causing injury and when the son of the informant came to save the informant, they also assaulted him.

Submission of the learned counsel for the petitioner is that that they have been falsely implicated in this case and the



injuries are simple in nature and there is land dispute between the parties with respect to the passageway between both the parties. It is also submitted that the petitioners have no criminal 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 petitioners above named on surrender or arrest within six weeks 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 Court of learned Chief Judicial Magistrate, Samstipur in connection with Kalyanpur P.S.Case No. 2 of 2016, G.R. No. 26 of 2016, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with 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.

(Vinod Kumar Sinha, J)

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