

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5487 of 2018

Arising Out of PS.Case No. -78 Year- 2017 Thana -SANHOLA District- BHAGALPUR

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1. Md. Ismile S/o Shekh Abdul

2. Shekh Abdul, S/o Late Kailu

Both are resident of Village- Asnaha, P.S.- Sanhonla, District- Bhagalpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 02-02-2018 Heard learned counsel for the petitioners. Despite repeated calls, nobody appears on behalf of the State.

The petitioners seek pre-arrest bail in connection with Sanhoula P.S. Case No.78 of 2017 registered under Sections 341, 323, 379, 307 and 504 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that the petitioner no.2 is the father of petitioner no.1. The petitioner no.1 was earlier married to the informant of the case. However, subsequently, due to matrimonial discord and



incompatibility, the informant took divorce and the instant case is the result of said matrimonial discord. He submitted that there is no truth behind the allegation made in the FIR. Even on the facts alleged, the ingredients of the offence punishable under Section 307 of the Indian Penal Code would not be attracted.

Regard being had to the nature of allegation and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Bhagalpur in connection with Sanhoula P.S. Case No. 78 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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