

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8180 of 2018

Arising Out of PS. Case No.-135 Year-2017 Thana- KOCHADHAMAN District- Kishanganj

1. Bapan Prasad Sinha, S/o Nagesh Prasad Sinha,
2. Brahmddeo Prasad Sinha @ Brahmddeo Sinha @ Brahmddeo, S/o Nagesh Prasad Sinha, Both are R/o Village- Barijan Durgapur, P.S.- Kochadhaman in the District of Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. SRI RAJENDRA SINGH SHASTRIJI

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 17-02-2018 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in connection with Kochadhaman P.S. Case No. 135 of 2017 registered for the offence punishable under section 307 and other allied sections of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that petitioners have been falsely implicated in this case due to previous enmity. Parties are agnates and there is admitted land dispute between the parties. Moreover, the injuries sustained have been found to be simple in nature. Petitioners are men of clean antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that there is specific allegation of



assault against petitioner no. 2 which is supported by the injuries sustained.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner no. 1, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, I, Kishanganj in connection with Kochadhaman P.S. Case No. 135 of 2017 subject to the conditions laid down under section 438(2) Cr.P.C.

However, the nature of allegations levelled against the petitioner no. 2 which is supported by the injuries sustained, I do not find it to be a fit case for grant of anticipatory bail to him. His prayer for anticipatory bail is, therefore, rejected.

(Arvind Srivastava, J)

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