

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47263 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- MAHUA District- Vaishali

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1. Avindra Kumar Singh @ Sadhu Singh @ Avnindra Kumar Singh, Son of Krishna Kumar Singh.
 2. Shyam Kumar, Son of Arvindra Kumar Singh, Both resident of Village- Harpur Belwa, P.S.- Mahua, Dist.- Vaishali.
- Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Anish Chandra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-09-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mahua P.S. Case No. 13 of 2018, disclosing offences under Sections 341, 323, 324, 385, 307, 379 and 504/34 of the Indian Penal Code.

Learned counsel, appearing on behalf of the petitioners, has submitted that before registration of the present First Information Report, the petitioner no. 1 had lodged a First Information Report on 13.01.2018, being Mahua P.S. Case No. 12 of 2018. Copy of the said First Information Report has been brought on record by way of Annexure-2 to this application, with reference to which it has been submitted that the petitioners had received serious injuries. It is submitted that the present case is a counterblast to the main case which is just an exaggerated version of the occurrence which had taken place,



containing certain false allegations against the petitioners.

From the case diary it appears that there are several cases pending between the petitioners and the informant and the reason behind the occurrence leading to registration of the First Information Report is a civil dispute between them.

Considering the above submission, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned C.J.M. Vaishali at Hajipur in Mahua P.S. Case No. 13 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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