

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74235 of 2018

Arising Out of PS. Case No.-550 Year-2018 Thana- SONEPUR District- Saran

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1. Dhaneshwar Sharma Son of Late Mathura Sharma.
 2. Binod Kumar Pankaj @ Binod Sharma Son of Ram Naresh Sharma. Both are Resident of Village- Sabbalpur Vhavantoli P.S. Sonepur District Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh
For the Opposite Party/s : Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Sonepur P.S. Case No. 550 of 2018, disclosing offence under Sections 324, 397, 147, 148 and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that as per the FIR itself, petitioner No. 1 is terminally ill. There is allegation of assault by all the persons including these petitioners with *lathi*, *danda* and sharp cutting weapon. The injury report, however, does not support the case of the prosecution. He also contends that the said occurrence has taken place on 06.06.2018 and FIR was registered by the petitioners'



side on 06.06.2018 itself whereas, this FIR has been registered on 09.06.2018 with reference to the occurrence of 06.06.2018, which is apparently a counter blast to the case lodged earlier.

Considering the above submission this application is allowed. The petitioners, above named, in the event of their arrest or surrender before the Court within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate I, Saran at Chapra in connection with Sonapur P.S. Case No. 550 of 2018, subject to the condition 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 the 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)

Pawan/Ragini

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