

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2780 of 2019

Arising Out of PS. Case No.-51 Year-2017 Thana- DHANKUND District- Banka

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1. Md. Dilber Khan son of Md. Minhaj Khan resident of village- Bliyas, P.S. Dhankund, District- Banka
 2. Shekhar Sharma son of Late Dhukhan Sharma resident of village-Asnaha, p.s.- Sanhaura, And District- Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar

For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-01-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dhankund P.S. Case No. 51 of 2017 for the offence under Sections 384, 385 and 386/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners contends that no offence under Section 385 of the Indian Penal Code is made out on the basis of what has been alleged in the First Information Report in the absence of any allegation of grievous injury.

It is alleged in the First Information Report that the petitioners had stopped the informant's bus from plying and when the informant, based on the permit to ply the vehicle, insisted that he will do that, the accused persons overtook the



vehicle and assaulted the Driver and the Cleaner.

Learned counsel for the petitioners contends that the parties have resolved their dispute amicably.

In view of the nature of accusation, 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 A.C.J.M.-4, Banka in Dhankund P.S. Case No. 51 of 2017, 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 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)

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