

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14721 of 2019

Arising Out of PS. Case No.-236 Year-2018 Thana- BAUNSI District- Banka *

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1. Shankar Yadav, Son Late Sukdeo Yadav @ Late Sukdeo Mahaharik
 2. Nayan Mahamarik, S/o Shankar Mahamarik
 3. Pramod Yadav, S/o Late Akal Yadav
- All are residents of Village-Bhikhanpur, P.S.-Bounsi, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-03-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bounsi Police Station Case No. 103 of 2018, disclosing offences under Sections 341/323/307/379/504/506/34 of the Indian Penal Code.

It is evident from the First Information Report that the occurrence, if any, had taken place because of dispute between the parties over passage.

Learned Counsel for the petitioners *prima facie* appears to be correct in his submission that allegation of taking away jewellery and certain articles is ornamental in nature.



Though, there is allegation of assault made by petitioner no. 2, in the head of the informant with an iron rod, learned counsel appearing on behalf of the petitioners submits that the injury has been found to be simple in nature.

Considering the genesis of occurrence and nature of accusation, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Bounsi Police Station Case No. 236 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.)

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