

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15507 of 2019

Arising Out of PS. Case No.-300 Year-2016 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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1. LAKHINDER TIWARI Son of Late Gorakh Tiwari Resident of Village - Aashnagar, P.S- Kanti, Distt.- Muzaffarpur.
 2. Rajiv Ranjan Tiwari @ Rajeev Kumar Son of Not Mention Resident of Village - Aashnagar, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-03-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kanti P.S. Case No. 300 of 2016 for the offence under Sections 341, 323, 324, 307, 325, 379, 354(B), 385, 504 and 506/34 of the Indian Penal Code.

It is evident from the First Information Report that there is some dispute between the informant and his full brother, who is petitioner No.1 and has been made accused, in respect of joint family property, There is allegation against petitioner No.2, who is nephew of the informant, of having assaulted the informant with butt of pistol.

Learned counsel appearing on behalf of the petitioners appears to be correct in his submission that there is



no allegation of any intention to kill as is evident from contents of the First Information Report. There is a counter case also lodged by the wife of petitioner No.1.

In my opinion, in the facts and circumstances of the case, case for anticipatory bail is made out. This application is accordingly 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 S.D.J.M., West Muzaffarpur, in Kanti P.S. Case No. 300 of 2016, 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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