

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18785 of 2019

Arising Out of PS. Case No.-469 Year-2018 Thana- CHANPATIA District- West Champaran

1. Sri Pandey @ Sri Ram Pandey son of Late Ambika Pandey, Resident of Village Garbhua, Babu Tola, P.S.- Sirisia, O.P. (Chanpatia), District- West Champaran.
2. Pradeep Pandey, Son of Sri Pandey @ Sri Ram Pandey, Resident of Village Garbhua, Babu Tola, P.S.- Sirisia, O.P. (Chanpatia), District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-03-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Chanpatia (Sirisia) P.S. Case No. 469 of 2018 for the offence under Sections 341, 342, 147, 323, 148, 149, 353, 307, 427, 504 and 120B of the Indian Penal Code.

Sub Inspector of Police, Sirisia O.P. is the informant. It is alleged that in the matter of an enquiry, arising out of an information received, a police party had gone to the house of the persons named in the First Information Report. The accused persons are said to have questioned the very visit of the police to their house. Allegedly, co-accused Pramod Rai and his wife attempted to snatch a rifle from the police party.



Learned counsel appearing on behalf of the petitioners appears to be correct in his submission that except vague and general allegation that the petitioners along with others questioned the presence of the police party, there is no allegation of any overt act against 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 A.C.J.M., Bettiah, West Champaran, in Chanpatia (Sirisia) P.S. Case No. 469 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 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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