

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22143 of 2019

Arising Out of PS. Case No.-215 Year-2018 Thana- SURSAND District- Sitamarhi

1. UDAY KUMAR SAFI @ UDAY SHANKAR SAFI Son of Ram Sevak Safi Resident of Village-Sihniapatti, Police Station-Sursand, District-Sitamarhi.
2. Premshila Devi @ Paramshila Devi @ Dharamshila Devi Wife of Sri Narayan Safi Resident of Village-Sihniapatti, Police Station-Sursand, District-Sitamarhi.
3. Sarita Devi Wife of Uday Kumar Safi @ Uday Shankar Safi Resident of Village-Sihniapatti, Police Station-Sursand, District-Sitamarhi.
4. Ram Lochan Safi Son of Late Jugal Safi Resident of Village-Sihniapatti, Police Station-Sursand, District-Sitamarhi.
5. Maheshwar Safi Son of Late Masan Safi Resident of Village-Sihniapatti, Police Station-Sursand, District-Sitamarhi.
6. Shail Devi Wife of Ram Lochan Safi, Resident of Village-Sihniapatti, Police Station-Sursand, District-Sitamarhi.
7. Ram Sevak Safi Son of Late Masan Safi Resident of Village-Sihniapatti, Police Station-Sursand, District-Sitamarhi.
8. Pinki Devi Wife of Ajay Safi Resident of Village-Sihniapatti, Police Station-Sursand, District-Sitamarhi.
9. Suryakala Devi @ Suryakant Devi, Wife of Sri Shambhu Safi Resident of Village-Sihniapatti, Police Station-Sursand, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-04-2019 Petitioner nos. 1 and 4 are said to have been arrested during the pendency of this application. The application to the extent it relates to petitioner nos. 1 and 2, namely, Uday Kumar Safi @ Uday Shankar Safi and Premshila Devi @ Paramshila



Devi @ Dharamshila Devi is dismissed as having become infructuous.

The application for anticipatory bail arises out of Sursand P.S. Case No. 215 of 2018, disclosing offences under Sections 147, 148, 149, 452, 447, 341, 323, 307, 354, 379, 380, 427 and 504 of the Indian Penal Code.

There is allegation in the FIR against 21 named accused persons, who appear to be belonging to the same family and there is dispute in the joint family over partition.

The allegation of assault and snatching of valuables are general and omnibus and does not inspire confidence, learned counsel for the petitioner contends. A partition suit is pending, as is evident from the FIR itself.

Considering the background in which the occurrence is said to have taken place, this application is allowed. Let the petitioner nos. 2,3, 5, 6, 7, 8 and 9, 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 bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned I/C Judicial Magistrate, Pupri at Sitamarhi in connection with Sursand P.S. Case N. 215 of 2018, subject to the condition 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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