

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35118 of 2019

Arising Out of PS. Case No.-260 Year-2018 Thana- BIKRAM District- Patna

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1. OVERSEAR RAI @ OSEAR RAI Son of Late Abadh Rai Resident of Village- Singhara, Police Station- Dulhin Bazar, District- Patna
 2. Dinesh Rai Son of Late Abadh Rai Resident of Village- Singhara, Police Station- Dulhin Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Yadav

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application has been filed by the petitioners for anticipatory bail apprehending their arrest in connection with Bikram P.S. Case No. 260 of 2018, registered for the offence under Section 379 along with other sections of the Indian Penal Code.

As per allegation in the F.I.R., petitioner no. 1 along with his three sons started to abuse the informant and asked for rangdaari. It is further stated that on intervention of some persons, they went away but returned the same evening at 8 p.m. and again started abusing the informant. Thereafter, on



command of petitioner no. 1, his three sons are said to have taken away the battery of the informant's tractor. They went away giving threats to the informant.

From perusal of the record of the case, it transpires that there is un-explained delay of five days in lodging the FIR. While the occurrence is said to have taken place on 19.08.2018, the report was made to the police on 24.08.2018. Further all the offences alleged, except Section 379 of the Indian Penal Code, are bailable.

In view of the facts and circumstances stated hereinabove, the above named petitioners are directed to surrender in the court below within a period of six weeks from today and in the event of their arrest or surrender, they shall be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Danapur, Patna in connection with Bikram P.S. Case No. 260 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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