

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36687 of 2019

Arising Out of PS. Case No.-446 Year-2018 Thana- PATNA CITY CHOWK District- Patna

1. GOPAL PRASAD S/O Late Lal Babu Prasad
2. Raju Prasad S/O Late Lal Babu Prasad
Both Resident at Mohalla- Neharu Tola, Humad Gali, P.S.- Chauk (patna City), District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar

For the Opposite Party/s : Mrs.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 17-08-2019 The petitioners apprehend their arrest in connection with Chawk (Patna City) P.S.Case No. 446 of 2019 registered under Sections 307,323,341,379 and 354/34 of the Indian Penal Code and 37(c) of the Bihar Prohibition and Excise Act and 8 of the Protection of Children from Sexual Offences, Act.

Allegation against the petitioners is that petitioners assaulted the informant and her children after entering into her house along with other accused persons.

Learned counsel for the petitioners submits that petitioners have been implicated in this case due to oblique motive inasmuch as both parties are agnate and petitioners are brothers-in-law (Dewar) of the informant and mother-in-law of



the informant has also been made accused in this case. Learned counsel further submits that a Title Partition Suit No. 347 of 2018 is pending between the parties before the Civil Court, Patna City.

After having heard learned counsel for the parties and taking into consideration the fact that both parties are agnate and there is dispute of partition between them, as such I am inclined to grant anticipatory bail to the petitioners. Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned 1st ADJ, Patna in connection with Chawk P.S.Case No. 446 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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