

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35035 of 2019

Arising Out of PS. Case No.-279 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

1. Md. Shabir, Son of Md. Wajeer, Resident of Village - Bhikhanpur, P.S.- Ahiyapur, District- Muzaffarpur
2. Brahmadeo Sahani, Son of Jhagru Sahani, Resident of Village - Bhikhanpur, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-08-2019 This is an application for grant of anticipatory bail in connection with Ahiyapur P.S. Case No. 279 of 2019 disclosing offences under Sections 354, 380, 379, 511, 323, 504 of IPC and Section 3/4 of Dowry Prohibition Act.

At the very outset, it has been submitted by the learned counsel for the petitioners that petitioner no.1 is an accused in one more case also, but by mistake he has not mentioned in para 3 of this application.

Allegation as per the complaint petition, on the basis of which, the F.I.R. has been registered is that the petitioner along with accused persons entered inside the house of the informant and drag the complainant and tore her blouse and snatched away Rs.20,000/- and a golden chain.



Submission of the learned counsel for the petitioners is that petitioner no.2 is the own brother of the complainant and there was a dispute between petitioner no.2 and his wife in which informant intervened, which was opposed by the petitioner no.2, due to that, the present case has been registered.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that allegation of outraging and assault is on petitioner no.1 and not on petitioner no.2, who is brother of the complainant.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 279 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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