

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39001 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- DARIYAPUR District- Saran

1. DHARMENDRA RAI Son of Shankar Rai Resident of Village-Darihara Chaturbhuz, Police Station-Dariyapur, District-Saran at Chapra.
2. Radhika Devi Wife of Raju Rai Resident of Village-Darihara Chaturbhuz, Police Station-Dariyapur, District-Saran at Chapra.
3. Babita Devi Wife of Dharmendra Rai Resident of Village-Darihara Chaturbhuz, Police Station-Dariyapur, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav
For the Opposite Party/s : Mr.Rajeev Nayan (App 231)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dariyapur P.S. Case No. 46 of 2019, disclosing offences under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

It is alleged that the informant was surrounded by the accused persons, who, at the first instance, hurled abuses and when objected to, they assaulted him and other family members also, who had rushed to his rescue.

Learned counsel for the petitioners has submitted that there is no injury report of the informant on record, which is evident from the order passed by the learned Sessions Judge, Saran at Chapra dated 10.05.2019, while rejecting the prayer for anticipatory bail of these petitioners. It has also been submitted



that similarly circumstanced co-accused has been allowed anticipatory bail by this Court.

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 bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate,-IV, Saran at Chapra, in connection with Dariyapur P.S. Case No. 46 of 2019, 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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