

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44473 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- ARWAL District- Jehanabad

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1. DILCHAND SAW Son of Late Mangsu Saw Resident of Village - Kochahasa, P.S.- Kinjar, Distt - Arwal
 2. Devanti Devi Wife of Dilchand Saw Resident of Village - Kochahasa, P.S.- Kinjar, Distt - Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 30-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Arwal P.S. Case No. 105 of 2019, disclosing the offence under Section 302 and other allied Sections of the Indian Penal Code.

Petitioner no. 2 is wife of petitioner no. 1. They have been implicated along with seven others for assaulting the informant's father, who subsequently died in course of medical treatment.

Learned counsel appearing on behalf of the petitioners has submitted that it was because of land dispute between the informant on the one side and seven co-accused persons on the other that some occurrence appears to have taken



place. He has argued that these petitioners have been implicated only because the petitioner no. 1 being lawyer by profession, was advising the other co-accused persons in connection with the dispute between them and the informant. It has also been argued that though the informant claims to be an eye-witness of the occurrence, no overt act has been alleged against these petitioners.

Case diary has been called for, from which it transpires that the occurrence had taken place in respect of a dispute over passage between the informant's side and other co-accused persons.

Considering the genesis of occurrence and the fact that nothing specific has come in course of investigation against these petitioners, 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 Chief Judicial Magistrate, Arwal in Arwal P.S. Case No. 105 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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