

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46755 of 2019

Arising Out of PS. Case No.-199 Year-2017 Thana- NOORSARAI District- Nalanda

1. RAVI SHANKAR KUMAR Son of Ganga Mahto Resident of Village- Paparнауsa Tola Sabalpur, P.S.- Noor Sarai, District- Nalanda.
2. Shankar Kumar Son of Ganga Mahto Resident of Village- Paparнауsa Tola Sabalpur, P.S.- Noor Sarai, District- Nalanda.
3. Ravi Ranjan Kumar Son of Ganga Mahto Resident of Village- Paparнауsa Tola Sabalpur, P.S.- Noor Sarai, District- Nalanda.
4. Ganga Mahto Son of Late Baleshwar Mahto Resident of Village- Paparнауsa Tola Sabalpur, P.S.- Noor Sarai, District- Nalanda.
5. Dinesh Prasad Son of Rampravesh Prasad Resident of Village- Paparнауsa Tola Sabalpur, P.S.- Noor Sarai, District- Nalanda.
6. Sarita Devi Wife of Dinesh Prasad Resident of Village- Paparнауsa Tola Sabalpur, P.S.- Noor Sarai, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Anil Kumar No.1
For the Opposite Party/s : Mr. r.B. roy 'Raman', APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-07-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Noor Sarai P.S. Case No. 199 of 2017 for the offence punishable under Sections 341, 323, 504, 379, 308 and 506/34 of the Indian Penal Code.

Petitioners No. 1, 2 and 3 are sons of petitioner No. 4, whereas petitioners No. 5 and 6 are husband and wife and co-villagers of other petitioners.

Learned counsel appearing on behalf of the



petitioners has submitted that all members of the family have been implicated in a false case because of a petty dispute between them. There is a counter case also registered as Noor Sarai P.S. Case No. 200 of 2017 for the same occurrence. Referring to the order of the learned Sessions Judge, Nalanda, whereby the application of these petitioners for grant of anticipatory bail has been rejected, he submits that no injury report was available in the case diary.

Considering the facts and circumstances and the nature of accusation, 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 bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda, in Noor Sarai P.S. Case No. 199 of 2017, subject to the conditions 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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