

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50693 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- SULTANGANJ District- Bhagalpur

1. MITHUN KUMAR S/o Umesh Yadav R/o village- Nasopur, P.S.- Sultanganj, District- Bhagalpur
2. Sunil Yadav S/o Kishore Yadav R/o village- Nasopur, P.S.- Sultanganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sultanganj Police Station Case No. 15 of 2019, disclosing offences under Sections 341/323/307/504/379/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners along with other co-accused persons assaulted the informant due to the fact that the informant prevented the petitioners and others from cutting the bamboo trees. The allegation of assault be means of axe on the head of the informant is on co-accused Chotu Kumar.



Learned Counsel for the petitioners submits that both the parties belong to the same village and are neighbours. He further submits that from perusal of the First Information Report, it would be evident that specific allegation of assault is upon Chotu Kumar and there is no specific allegation against these petitioners. He further submits that the parties have entered into an amicable settlement, which has been annexed as Annexure-2 to this application.

After having heard learned Counsel for the parties and taking into consideration the fact that there is no specific allegation of assault on the petitioners and the parties are neighbours, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named in the event of their arrest or surrender before the Court below within four weeks, 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 learned 1st Additional Chief Judicial Magistrate, Bhagalpur, in connection with Sultanganj Police Station Case No. 15 of 2019, subject to the condition 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.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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