

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60465 of 2019

Arising Out of PS. Case No.-189 Year-2016 Thana- SIKTI District- Araria

1. RAJENDRA RAM Son of Late Baldev Ram Resident of Village - Kathalbari, Bardaha, P.S.- Sikti, Dist.- Araria.
2. Sarita Devi Wife of Rajendra Ram Resident of Village - Kathalbari, Bardaha, P.S.- Sikti, Dist.- Araria.
3. Deepak Ram Son of Rajendra Ram Resident of Village - Kathalbari, Bardaha, P.S.- Sikti, Dist.- Araria.
4. Vipin Ram Son of Rajendra Ram Resident of Village - Kathalbari, Bardaha, P.S.- Sikti, Dist.- Araria.
5. Bhuttu Ram Son of Vasudev Ram Resident of Village - Kathalbari, Bardaha, P.S.- Sikti, Dist.- Araria.
6. Pramesh Kumar Ram @ Umesh Ram Son of Bhuttu Ram Resident of Village - Kathalbari, Bardaha, P.S.- Sikti, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma,
For the Opposite Party/s : Mr. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 26-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sikti (Bardaha) P.S. Case No. 189 of 2016 registered for the offence punishable under sections 341, 323, 504, 406, 420 and 34 of the Indian Penal Code.

As per allegation made in the F.I.R., accused persons



assaulted the informant over a dispute with respect to joint family house. Petitioner no. 1 happens to be the full brother of the informant and others are the family members. It is further stated in the FIR that petitioner no. 1 had also got registered a sale deed executed by their mother after taking her on the pretext of treatment.

It is submitted by learned counsel for the petitioners that the matter is purely one of civil dispute between two brothers and the family members relating to the joint family property. It is further submitted that the so called sale deed, which is being referred to as having been executed by the mother of the informant in favour of petitioner no. 1 was in the year 2003 i.e. 13 years before the instant FIR and a copy of the same has been brought on record as Annexure-2 to this application.

Having heard learned counsel for the parties and taking into consideration the above facts and circumstances of the case, nature of allegation and the relationship between the parties, this Court is inclined to grant anticipatory bail to the above named petitioners and they are directed to surrender in the court below within a period of six weeks from today and in the event of their arrest or surrender, they will be enlarged on



bail on each furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Sikti (Bardaha) P.S. Case No. 189 of 2016, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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