IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51330 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- BIHIA District- Bhojpur

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1. SONU SINGH Son of Late Radha Mohan Singh @ Radha Mohan Resident of Village - Basudevpur, P.S.- Bihiya, District - Bhojpur
2. Govind Singh @ Govind Kumar Singh Son of Late Radha Mohan Singh @ Radha Mohan Resident of Village - Basudevpur, P.S.- Bihiya, District - Bhojpur
3. Upendra Singh Son of Late Baban Singh Resident of Village - Basudevpur, P.S.- Bihiya, District - Bhojpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 19-08-2019 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bihiya Police Station Case No. 138 of 2019, disclosing offences under Sections 341/323/325/307/506/504/34 of the Indian Penal Code.

The allegation against the petitioners is that on 23.04.2019, the own brothers of the informant, namely, Sonu Singh and Govind Singh, along with his cousin brother, Upendra Singh, entered into the house of the informant and brutally assaulted him, causing injuries on his head, knee and

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other parts of the body.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case, which has been filed belatedly inasmuch as the occurrence is alleged to have taken place on 23.04.2019; whereas the present First Information Report has been lodged by the informant on 02.05.2019, i.e. after a delay of 9 days. He further submits that the petitioner nos. 1 and 2 are own brothers of the informant and petitioner no. 3 is the cousin of the informant and there is property dispute between them.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioners are the brothers and cousin of the informant and further there is considerable delay in lodging of the First Information Report, 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 Chief Judicial Magistrate, Bhojpur, at Ara, in connection with Bihiya Police Station Case No. 138 of

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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.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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