

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55791 of 2019

Arising Out of PS. Case No.-423 Year-2019 Thana- ARA NAWADA District- Bhojpur

1. MAHABIR SINGH Son of Late Ramayan Singh Resident of Village - Basisth Nagar, P.S.- Ara Nawada, Dist.- Bhojpur.
2. Aman Kumar Son of Mahabir Singh Resident of Village - Basisth Nagar, P.S.- Ara Nawada, Dist.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Ara Nawada P.S. Case NO. 423 of 2019, disclosing offences under Sections 448,341,323,354,379,504/34 of the Indian Penal Code.

Persons named in the First Information Report belong to the same family. Petitioner No.1 is father of petitioner No.2. It is alleged in the First Information Report that all the six accused persons entered into the informant's house and assaulted him and his wife with *iron rod, fists and slaps*. They are said to have attempted to outrage the modesty of the informant's wife and taken away certain valuables.

Learned counsel appearing on behalf of the



petitioners has submitted that it is evident from the FIR that the parties are on litigating terms. He has also been argued that the injuries have been found to be simple in nature and in respect of occurrence which had taken place on the same date and at the same time as alleged in the present FIR, an FIR had already been registered by petitioner No.1 as Ara Nawada P.S. Case No. 422 of 2019. It has been stated that there are three cases which have been lodged against the petitioner No.1 out of personal animosity.

Learned counsel for the informant has vehemently opposed the prayer for anticipatory bail.

Considering the facts and circumstances as noted above, 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 Chief Judicial Magistrate, Bhojpur at Ara in Ara Nawada P.S. Case No. 423 of 2019, 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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