

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80204 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- BAIRIYA District- West Champaran

1. Isha Miyan @ Isha Ansari and Ors son of Maqдум Miyan
2. MAHMOOD MIYAN son of Maqдум Miyan
3. AKBAR MIYAN @ AKBAR ANSARI son of Mahmood Miyan All residents of Village- Dumariya Balua Tola, P. S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-01-2019 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bairiya Police Station Case No. 70 of 2018, disclosing offences under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

It transpires from the First Information Report that occurrence has taken place over a petty dispute between the petitioners and the informant in respect of hand pump. It is alleged against the accused persons that they assaulted informant and father of the informant, namely, Kamil Miya.

Learned Counsel appearing on behalf of the



petitioners appears to be correct in his submission that the alleged injuries caused by these petitioners on the person of Kamil Miya have been found to be simple in nature.

Considering the genesis of occurrence and nature of accusation, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, West Champaran, at Bettiah, in connection with Bairiya Police Station Case No. 70 of 2018, 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.

(Chakradhari Sharan Singh, J.)

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