

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65191 of 2019

Arising Out of PS. Case No.-219 Year-2019 Thana- BARAULI District- Gopalganj

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1. BAHADUR SHARMA Son of Late Bhola Thakur Resident of Village-Sarar, Police Station-Barauli, District-Gopalganj.
 2. Sabita Devi Wife of Shailesh Sharma Resident of Village-Sarar, Police Station-Barauli, District-Gopalganj.
 3. Khushbu Devi Wife of Bashishth Sharma Resident of Village-Sarar, Police Station-Barauli, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-10-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Barauli Police Station Case No. 219 of 2019, disclosing offences under Sections 341/323/307/325/379/504/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with other accused persons, assaulted the informant and her family members by means of various weapons, like iron-rod, lathi, danda etc.

Learned Counsel for the petitioners submits that both



the parties are close door neighbours and the incident has taken place due to the fact that the petitioner no. 1 had allegedly kept bamboos in the field of the informant. He further submits that the allegation upon petitioner no. 1 is of assaulting upon the son of the informant by means of iron-rod and the allegation against petitioner nos. 2 and 3, who are ladies, is of assaulting the informant by means of lathis. He further submits that no apparent injury has been brought on record, as would be evident from the impugned order itself. He also submits that there is counter case for the same incident, bearing Barauli Police Station Case No. 221 of 2019, lodged by petitioner no. 1 against the side of the informant.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are close door neighbours, there appears to be a dispute relating to keeping of bamboos in the field of the informant and no serious injury has been brought on record, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, 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 15th Additional Chief Judicial Magistrate, Gopalganj, in connection with Barauli Police Station Case No. 219 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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