

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21456 of 2020

Arising Out of P.S. Case No.-37 Year-2020 Thana-Nagarnausa District-Nalanda

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1. Ganauri Yadav, son of Late Ram Chandra Mahto
2. Shailendra Gope, son of Late Ram Ugre Yadav
Both resident of Village Maniyampur, P.S. Nagarnausa, District Nalanda
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar Singh
For the Opposite Party : Mr. Navin Kr. Pandey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-07-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nagarnausa P.S. Case No. 37 of 2020, disclosing the offence punishable under Section 307 and other allied Sections of the Indian Penal Code.

On perusal of the FIR, it is easy to infer that dispute over passage had given rise to the alleged occurrence. Allegedly, the persons named in the FIR had come to the doorway of the informant and were abusing the informant's wife. There is allegation against co-accused Arbind Kumar of having caused fire-arm injury in the thigh of the informant's wife.

The petitioners have criminal antecedent. It has,



however, been stated that two cases have been lodged by the informant and another case has been lodged by someone closely related to the informant. It has been accordingly argued that the parties are on litigating terms because of which the petitioners have been implicated.

Considering the genesis of occurrence, in my view, a case for grant of anticipatory bail is made out. This application is accordingly 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 bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in Nagarnausa P.S. Case No. 37 of 2020, subject to the condition 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.

It is also indicated that defects, if any, shall be removed within two months from today.



Since there is a lockdown, the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

Rajesh/-

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