

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82868 of 2019

Arising Out of PS. Case No.-201 Year-2019 Thana- KISHANGANJ District- Kishanganj

1. SHANTI @ SHANTI KUMAR DAS Son of Bengali Das Resident of Mohalla - Chouhan Basti Faringgora, Near Pani Tanki Ward No. 9, P.S. Kishanganj, District- Kishanganj.
2. Lal Bahadur @ Deepak @ Deepak Das Son of Bengali Das Resident of Mohalla - Chouhan Basti Faringgora, Near Pani Tanki Ward No. 9, P.S. Kishanganj, District- Kishanganj.
3. Navin Kumar Das @ Buchu @ Navin Singh Son of Bengali Das Resident of Mohalla - Chouhan Basti Faringgora, Near Pani Tanki Ward No. 9, P.S. Kishanganj, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 24-06-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Kishanganj P.S. Case No. 201 of 2019, disclosing offence under Section 448, 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

The petitioners are full brothers. It is alleged in the F.I.R. that on the alleged date of occurrence, the petitioners were seen committing theft in the house of the informant's neighbor and on being apprehended, they started after assaulting the



informant's son. Allegedly, the informant's son was assaulted with the handle of the hand pump in his head, causing grievous injury.

Learned counsel for the petitioner has submitted that, as a matter of fact, there was free fight between the parties on the alleged date of occurrence over some dispute between them. Both the sides, he contends received injuries. He has further submitted that the F.I.R. contains incorrect version of the occurrence just to exaggerate the story of the prosecution.

Considering the facts and circumstances, this application is allowed.

Let the petitioner above named in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Kishanganj in connection with Kishanganj P.S. Case No. 201 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)

AKASH/-

U		T	
---	--	---	--

