

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1071 of 2020**

Arising Out of PS. Case No.-139 Year-2019 Thana- BARHARA District- Bhojpur

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SUNIL KUMAR @ SUNIL BIND Son of Uttam Mahto R/o- Village-
Daulatpur, P.S.- Shahpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

3 24-02-2020 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,504 and 307/34 of the IPC.

The prosecution case as per the written report of Suresh Bind submitted to the SHO, Barahara Police Station is to the effect that on 21.4.2019 at 4.00 P.M., the wife of Munna Bind, namely, Chinta Devi was forcibly taken by the petitioner and Dhanwa Devi and on protest being made, the petitioner and Dhanwa Devi abused and assaulted the informant and others. It is further alleged that all the accused persons including the petitioner also assaulted the brother of the informant, namely, Chandeshwar Bind and his wife Usha Devi and Munna Bind got injured.



It is submitted by learned counsel for the petitioner that in the background of previous dispute between the parties, the accusation has been levelled. It is further submitted that Co-accused Dhanwa Devi has been granted anticipatory bail vide order dated 18.10.2019 passed in Cr. Misc. No. 62584 of 2019 by a Co-ordinate Bench of this Court. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner in the FIR.

Considering the genesis of the occurrence and the fact that Co-accused Dhanwa Devi has been granted anticipatory bail by a Co-ordinate Bench of this Court coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhojpur at Ara in connection with Barahara P.S. Case No.139 of 2019 subject to the conditions



laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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