

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58339 of 2022

Arising Out of PS. Case No.-721 Year-2021 Thana- MAJHAULIA District- West Champaran

1. Sudhakar Upadhyay, Son Of Mathura Upadhyay R/O Village- Dhankutwa, P.S.- Maghauri, Distt.- West Champaran
2. Vibhakar Kumar Upadhyay @ Vibhakar Upadhyay, Son Of Mathura Upadhyay R/O Village- Dhankutwa, P.S.- Maghauri, Distt.- West Champaran
3. Vivek Kumar Upadhyay, Son Of Devendra Upadhyay R/O Village- Dhankutwa, P.S.- Maghauri, Distt.- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma- Sr. Advocate Ms. Priyanka Singh- Advocate
For the Opposite Party/s :		Mr. Umeshanand Pandit- A.P.P. Mr. Ram Kishun Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 03-07-2023 Heard learned senior counsel for the petitioners,
learned counsel for the informant and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 447, 467, 468, 420, 120(B), 382, 504 and 506 of the Indian Penal Code.

The learned senior counsel for the petitioners submits that the petitioners have antecedent of one case and petitioner nos.1 and 2 are senior citizens. It is next submitted that the informant and the petitioner nos.1 and 2 are own brothers and



from perusal of the allegation as alleged in the F.I.R., it would manifest that the dispute is completely civil in nature. It is also submitted that it has been specifically mentioned in the supplementary affidavit that partition suit between the parties have also been filed in the trial Court in the Year 2022. It is next submitted that the similar case was also instituted earlier against the petitioners in which they have granted anticipatory bail. It is further submitted that dispute is family dispute in which brothers are litigating.

The learned A.P.P. along with learned counsel for the informant opposes the bail application, but are not in a position to rebut the submission of the learned counsel for the petitioners that informant and petitioner nos.1 and 2 are own brothers and petitioner no.3 is nephew of the informant.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Maghaulia P. S. Case



No.721 of 2021, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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