

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 3740 of 2012

1. Sonapati Devi
2. Binay Kumar Singh
3. Bivek Kumar Singh @ Deepak Kumar Singh
4. Sanjay Kumar Singh
5. Hit Narayan Singh
6. Savita Devi
7. Ankit Kumar Singh @ Golu @ A.K. Singh
8. Seema Devi @ Seema Singh Petitioner(s)

Versus

State of Jharkhand ... Opposite Party

Coram : HON'BLE MR. JUSTICE D.N.UPADHYAY

For the petitioner (s): Mr. Rajesh Kumar

For the opposite party : Addl.P.P.

31.10.2012 Heard the learned counsel for the petitioners and the learned counsel for the State.

This is an application for grant of anticipatory bail filed by the petitioners in connection with Chas PS case No. 220/2011 (GR No. 1639 of 2011) for the offence registered under sections 147/149/337/341/323/379/504/34 of the Indian Penal Code.

It is alleged in the written report that the accused persons after forming an unlawful assembly assaulted the informant and also took away house hold articles like chairs, tables utensils, etc.

It is submitted that a partition suit was going on between the parties and after writ of delivery of possession was executed, this case has been instituted with false allegations.

Learned counsel for the informant has opposed the prayer and submitted that the portion was given in possession of the informant, and the accused persons entered to that portion and committed theft. It is not disputed that the parties are in litigating terms for their respective shares of property.

Considering above aspects of the matters, all the above named eight petitioners are directed to surrender before the court below within a period of four weeks positively from the date of this order and on their surrender, they shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Smt Manju Kumari, Judicial Magistrate, 1st Class, Bokaro, in connection with Chas PS case No. 220/2011 (GR No. 1639 of 2011), subject to the conditions laid down under section 438(2) Cr.P.C.

Ambastha/-

(D.N.Upadhyay,J.)