

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19389 of 2015

Arising Out of PS.Case No. -25 Year- 2014 Thana -JURAWNPUR District- VAISHALI(HAJIPUR)

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1. Nawal Rai @ Newal Rai Son of Late Ramyad Rai
2. Sachindra Rai @ Suchindra Rai, Son of Nawal Rai,
3. Sakindra Rai, Son of Nawal Rai,
4. Suresh Rai, Son of Nawal Rai,
All are resident of village - Raghopur Purvi, Police Station - Jurawanpur,
District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 02-07-2015 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor appearing on behalf of the
State.

The petitioners seek anticipatory bail in a case
registered for the offences punishable under Sections 147, 149,
323, 448, 326, 307, 504 of the Indian Penal Code, 27 of the
Arms Act and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities)
Act.

Learned counsel appearing on behalf of the
petitioner has submitted that there is no specific allegation of
commission of offence under the provision of S.C./S.T.
(Prevention of Atrocities) Act against anyone and allegation of
assault is general and omnibus. He further contends that from

the First Information Report itself it would appear that there was land dispute between the parties and in order to resolve the dispute between them through the process of negotiation with the intervention of the well-wishers, a panchayati was being held during which the occurrence took place. He has also submitted that there is case and counter case with respect to the same occurrence and no offence under Section 307 is made out against this petitioner.

In find substance in submission made on behalf of the petitioners. In the facts and circumstances of the case, let above named petitioners in the event of their arrest/surrender within four weeks from today in the court below, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Hajipur, Vaishali in connection with Jurawanpur P.S. Case No. 25 of 2014 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J)

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