

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32411 of 2014

Arising Out of PS.Case No. -106 Year- 2014 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Virendra Prasad son of Shankar Prasad
 2. Lalbabu Prasad son of Late Dasai Prasad
 3. Awadhesh Prasad son of Late Mahindra Prasad
 4. Punyadeo Prasad son of Srikant Prasad
 5. Shambhu Prasad son of Late Dasai Prasad
 6. Sangeeta Devi w/o Shambhu Prasad
 7. Usha Devi W/o Lalbabu Prasad
 8. Ilayachi Devi w/o Srikant Prasad
 9. Champa Devi w/o Shamkar Prasad
 10. Yashwanti Devi w/o Mahesh Prasad
 11. Yogilal Prasad son of Late Vansi Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Madhuranand Jha (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 27-03-2015 Heard learned counsel for the petitioner as well as learned
Additional Public Prosecutor for the State.

All the petitioners are named in the F.I.R and it is specifically stated in the first information report that petitioner no.2, 4 and 11 assaulted the injured persons of this case. So far as petitioner nos. 6 to 10 are concerned, they are ladies and no specific overt act has been attributed against them. Admittedly, there is a land dispute between the parties and in this case altogether seven persons sustained injuries, out of them one injured Mukesh Prasad sustained grievous injuries.

Considering the aforesaid facts and circumstances as

well as submissions of the parties, this anticipatory bail petition with respect to petitioners no. 6,7,8 ,9 and 10 is allowed and it is ordered that petitioners no. 6,7,8 ,9 and 10, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall 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 Chief Judicial Magistrate, East Champaran, Motihari in Harsidhi P.S.Case No. 106 of 2014, subject to condition as laid down under Section 438(2) of the Cr.P.C.

So far as, petitioner nos. 1, 2, 3, 4, 5 and 11 are concerned, their prayer for anticipatory bail stands rejected. However, if they surrender and seek regular bail before the court below within four weeks from today, the concerned court shall consider the regular bail application of the above stated petitioners on its own merit without being prejudiced by this rejection order, particularly, keeping in mind the specific accusation leveled against the aforesaid petitioners and the injuries said to be sustained by injured persons at the hands of the aforesaid petitioners.

(Hemant Kumar Srivastava, J)

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