

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39027 of 2015

Arising Out of PS.Case No. -21 Year- 2014 Thana -GURARU District- GAYA

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1. Kanchan Devi W/o Baijnath Sao, D/o Bansi Sao
 2. Sangeeta Kumari @ Radhika D/o Vishwanath Sao
 3. Kesh Ranjan Sao @ Kesh Ranjan Kumar @ Kesh Ranjan Sah S/o Vishwanath Sao
 4. Mahesh Sao S/o Ram Krit Sao
 5. Baijnath Sao S/o Late Bindeshwar Sao Petitioner No. 1 and 2 Resident of Bara Guraru, P.S. Guraru, District Gaya. Petitioner No. 3 Resident of P.S. Baseri, District Aurangabad. Petitioner No. 4 Resident of Dariyapur, P.S. Faser, District Aurangabad. Petitioner No. 5 Resident of Simariya, P.S. Dimariya, District Aurangabad.

..... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra, Advocate
For the Opposite Party/s : Mr. Harendra Prasad,APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Guraru PS Case No.21 of 2014, disclosing offences under Sections 147, 148, 149, 323, 342, 457, 380, 436 and 427 of the Indian Penal Code.

The petitioners belong to the same family. Learned counsel for the petitioners submits that there is a Title Suit pending between the prosecution side and the petitioners. Statement to this effect has been made in paragraph-8 of this application. He has also submitted that the prosecution case as narrated in the FIR, implicating even the ladies of the family for the offence as alleged, is highly improbable.

I find substance in the submissions of learned counsel appearing on behalf of the petitioners. This application is accordingly allowed.

Let the petitioners above named, in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Piyush Kumar Srivastava, Judicial Magistrate 1st Class, Gaya, in Guraru PS Case No. 21 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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