

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2881 of 2015

Arising Out of PS.Case No. -169 Year- 2013 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Satya Narayan Rai
2. Arvind Kumar Rai @ Arvind Rai Both are Son of Late Jildar Rai
Resident of Village - Banki Tikam, Police Station - Madhuban District -
East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 21-01-2015 Heard learned counsel for the petitioner, learned Additional

Public Prosecutor for the State and learned counsel, appearing for

the informant.

Petitioners apprehend their arrest in connection with

Madhuban P.S. Case No. 169 of 2013 registered under Sections-

307, 379 & other minor Sections of the Indian Penal Code.

At the very outset, it is pointed out on behalf of the

petitioner that accusation against the petitioner No. 1 has been

found untrue by the police and, accordingly, the court has not

taken cognizance against him and, therefore, the petitioner No. 1

wants to withdraw this petition.

In view of the aforesaid submission, prayer for anticipatory

bail of the petitioner No. 1 namely, Satya Narayan Rai stands

dismissed as withdrawn.

However, this order shall not cause any prejudice to the petitioner No. 1 in future, if, he makes prayer for grant of anticipatory bail after taking cognizance by the concerned court.

So far as the petitioner No. 2 is concerned; he is named in the first information report but no specific overt act has been attributed against him. Admittedly, there is land dispute between the parties and both parties have lodged cases against each others and, furthermore, persons from both sides, sustained injury.

Taking into consideration the above-said facts and circumstances as well as submission of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest or surrender in the court below within four weeks from today, the petitioner No. 2, namely, Arvind Kumar Rai @ Arvind Rai shall be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Madhuban P.S. Case No. 169 of 2013 to the satisfaction of Sri D. Kumar J.M.-Ist Class, Sikrahana, East Champaran subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

A.K.V./-

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