

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14841 of 2016

Arising Out of PS.Case No. -247 Year- 2015 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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1. Santosh Rai S/o Suresh Rai
2. Pramila Devi W/o Suresh Rai
3. Suresh Rai S/o Late Dharichan Rai All R/o village - Bariyarpur, P.S.
Chhatauni, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. T.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 04-05-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Chhatauni Police Station Case No. 247 of
2015, disclosing offences under Sections 447, 448, 341,
323, 307, 380, 504/34 of the Indian Penal Code.

A land dispute between the petitioners and the
informant appears to be the reason behind institution of the
First Information Report and the occurrence as alleged in
the First Information Report.

Learned Counsel for the petitioners has
submitted that there is allegation of causing assault by
bhala. He has submitted that the injuries have been found
to be simple and strictly speaking, no offence under Section
307 of the Indian Penal Code is made out. The petitioners

have no criminal antecedent and they belong to the same family.

Considering the submission, as above, this application is allowed.

Let the petitioners, namely, Santosh Rai, Pramila Devi and Suresh Rai, in the event of their arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, East Chaparan at Motihari, in connection with Chhatauni Police Station Case No. 247 of 2015, subject to the condition 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, as 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.)

Prabhakar Anand/-

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