

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32046 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -AMARPUR District- BANKA

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1. Manoj Singh Son of Bachhu Singh
2. Jhapo Singh Son of Bachhu Singh
3. Bablu Singh Son of Late Ramdeo Singh
4. Subodh Singh Son of Late Ramdeo Singh
All are residents of Village Kushmaha, Police Station- Amarpur, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-08-2016 Heard Sri Viveka Nand Singh, learned counsel for the
petitioners and Sri Nagendra Prasad, learned A.P.P.

Four petitioners apprehending their arrest in Amarpur P.S. Case No. 2 of 2016 registered for the offence under section 307 and other allied sections of the Indian Penal Code have prayed for grant of anticipatory bail

It was submitted by learned counsel for the petitioners that on perusal of the F.I.R. it is evident that no case under section 307 of the Indian Penal Code is made out. He further submits that it was alleged that in the occurrence *lathi* was used by the accused persons. He further submits that there is case and counter case in between the parties and petitioners and informant's side

are agnates. He has also placed reliance on an order dated 25.5.2016 passed in Cr. Misc. No. 23501 of 2016 whereby out of six F.I.R. named accused two accused persons namely Bachhu Singh @ Bachcho Singh and Aman Singh @ Aman Kumar Singh have been extended the privilege of anticipatory bail.

Learned A.P.P. has opposed the prayer for anticipatory bail.

However keeping in view the fact that other two accused persons having similar accusation have been extended the privilege of anticipatory bail as well as the nature of accusation and the fact that there is case and counter case in between the parties , in the event of arrest or surrender within a period of six weeks from today, let the aforesaid four petitioners Manoj Singh, Jhapo Singh, Bablu Singh, Subodh Singh be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka / concerned court in connection with Amarpur P.S. Case No. 2 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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