

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21594 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

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1. Malik Chandra Ram @ Malik Chand Ram S/o Ramratan Ram
2. Raj Kumari Devi W/o Malik Chandra Ram @ Malik Chand Ram Both
R/o Village- Pogar, P.S.- Rafiganj, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. T.P.Mandal (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 13-07-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Rafiganj P.S. Case No. 12 of 2016, disclosing offences under Sections 341,323,307, 504/34 of the Indian Penal Code.

The petitioners and the informant are next door neighbours.

Learned counsel for the petitioners has submitted that even if the contents of the First Information Report are taken to be true on its face value, no offence under Section 307 of the Indian Penal Code is made out. He has further submitted that apparently, a dispute between the informant's family and the family of the petitioners over *gairmajura* land could be the reason behind lodging of the First Information Report.

I find substance in the submissions so advanced, this application is allowed. Let the petitioners above-named in the event of their arrest/surrender within four weeks from today in the court below, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Rafiganj P. S. Case No. 12 of 2016, 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, 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)

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