

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49050 of 2016

Arising Out of PS.Case No. -88 Year- 2016 Thana -ALAMNAGAR District- MADHEPURA

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1. Ras Bihari Singh Son of Late Shukdeo Singh.
 2. Bindeshwari Singh, Son of Late Ajanas Singh.
 3. Lalan Singh alias Pravesh Kumar, Son of Bindeshwari Singh and
 4. Saroj Singh alias Goutam Kumar Singh, son of Ras Bihari Singh,
- All resident of Village- Basanbara, P.S.- Alamnagar, District- Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh
Mr. Alok Kumar Singh
For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 14-12-2016 Heard Sri Nawal Kishore Singh, learned counsel, who was assisted by Sri Alok Kumar Singh, learned counsel for petitioners and learned Addl. Public Prosecutor.

Four petitioners, apprehending their arrest in Alamnagar P.S. Case No. 88 of 2016 registered for offence under Sections 341, 323, 384, 379, 427, 34 of the Indian Penal Code, have prayed for grant of anticipatory bail.

It was submitted by learned counsel for petitioners that land dispute in between petitioners and informant was going on and falsely, the present case was got instituted. Accordingly, a prayer has been made to extend the privilege of anticipatory bail.



Learned Addl. Public Prosecutor has opposed the prayer for bail of petitioners, particularly, so far as petitioner no. 1 and 4 are concerned, on the plea that they are having criminal antecedent.

Accordingly, so far as petitioner no. 2 and 3 are concerned, keeping in view the fact that they are having clean antecedent and nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let both persons i.e. petitioner no. 2 and 3 namely Bindeshwari Singh and Lalan Singh alias Pravesh Kumar be enlarged 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 Sub-Divisional Judicial Magistrate, Udakishunganj, District – Madhepura in connection with Alamnagar P.S. Case No. 88 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

So far as prayer for anticipatory bail to petitioner no. 1 and 4 is concerned, in view of the fact that they are having criminal antecedent, I do not find any ground to extend the privilege of anticipatory bail. They may appear before the court below and make a prayer for regular bail.

If petitioner no. 1 and 4 (i.e. Ras Bihari Singh and



Saroj Singh alias Goutam Kumar Singh) within a period of six weeks from today appear before the court below and make a prayer for regular bail, the learned court below, without being prejudiced with this order, may examine the same and pass appropriate order in accordance with law, preferably on the same date.

The petition is partly allowed

(Rakesh Kumar, J.)

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