

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12470 of 2017

Arising Out of PS.Case No. -497 Year- 2016 Thana -SAUR BAZAR District- SAHARSA

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1. Baldeo Sutihar Son of Late Moti Sutihar,
2. Surendra Yadav @ Soren Yadav , Son of Late Anadi Yadav,
3. Raja Sharma , Son of Baldeo Sutihar, All of them are Resident of
Village- Tiri Bhagwanpur, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-04-2017 The petitioners are apprehending their arrest in connection with Sour Bazar P.S. Case No. 497 of 2016, registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302 and 506 Indian Penal Code.

It has been submitted on behalf of the petitioners that allegation against petitioner no. 1 is that he is the order giver on whose order other co-accused assaulted the deceased and so far petitioner nos. 2 and 3 are concerned, only general and omnibus allegation of assault has been levelled to them. Further in the post mortem report only one injury was found on the person of the deceased. Further petitioners have no criminal antecedents and there is case and counter case between the parties with regard to



land dispute.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also considering the fact that petitioner no. 1 is an old person and only general and omnibus allegations have been levelled against all these petitioners, as such, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Saharsa, in connection with Sour Bazar P.S. Case No. 497 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on



the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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