

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31119 of 2017

Arising Out of PS.Case No. -158 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Tej Bahadur Rai, son of Late Mundrika Rai,
2. Ajay Kumar Singh @ Ajay Singh, son of Tej Bahadur Rai @ Tej Bahdur,
Both are resident of Vilage- Adhwar, Police Station- Mohania, District-
Kaimur (Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Singh

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 13-07-2017 Heard the learned counsel for the petitioners and the
learned APP for the State.

The petitioners apprehend their arrest in connection
with Mohania P.S. Case No. 158 of 2017 instituted for the
offences punishable under Sections 447, 379, 307/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The petitioner no. 1 is full brother of the informant
and the petitioner no. 2 is the son of petitioner no. 1. The
allegation against them is that both the accused along with two
unknown armed with weapon went over his land and harvested
two quintals of mustard crop. It is submitted that the allegation of
attempt to commit murder has been made only to make the



offence grave. Admittedly, neither the informant nor any other person sustained any injury. It is alleged that they have opened fire in the air. A Title Suit No. 629 of 2016 is also pending between the parties before the civil court. Both the parties are co-sharer.

Considering the nature of allegation, facts and circumstances, the anticipatory bail prayer is allowed. The petitioners, above named, in the event of arrest / surrender within six weeks from today, 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, Bhabhua, Kaimur in connection with Mohania P.S. Case No. 158 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sanjay Kumar, J)

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