

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43395 of 2017

Arising Out of PS.Case No. -86 Year- 2017 Thana -PARASBIGHA District- JEHANABAD

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1. Bimla Devi, wife of Dulli Sao @ Duli Sao
 2. Dulli Sao @ Duli Sao, son of Late Badri Sao
 3. Babbi Kumar, son of Shri Dulli Sao @ Duli Sao
 4. Mukesh Kumar, son of Shri Gardi Sao @ Jitendra Sao
 5. Gardi Sao @ Jitendra Sao, son of Late Badri Sao
 6. Rakesh Kumar, son of Gardi Sao @ Jitendra Sao
 7. Kabita Devi, wife of Balchand Sao @ Jitendra Sao
 8. Rahul Kumar, son of Lala Sao

All residents of Village - Sikaria, P.S. - Parasbigha, District - Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 22-09-2017 Petitioner No. 6, namely, Rakesh Kumar, has been arrested by the police during the pendency of this application. His application has, thus, become infructuous and is, accordingly, dismissed.

Heard the parties.



This application, for grant of anticipatory bail, arises out of Parasbigha P.S. Case No. 86 of 2017, disclosing offences under Sections 147, 149, 447, 323, 325, 307 and 507 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that for the same occurrence, case and counter case have been filed. The case registered by the petitioners' side is earlier in time, being Parasbigha P.S. Case No. 85 of 2016. He has submitted that the present case is counter blast to the earlier case lodged by the petitioners' side. The petitioners have been made accused in this case only because they belong to the same family.

Learned Additional Public Prosecutor, appearing on behalf of the State, has submitted that since the allegation in the First Information Report is of putting undue pressure to withdraw the case, anticipatory bail should not be allowed to these petitioners.

I have perused both the First Information Reports and I have considered the rival submission made on behalf of the petitioners. It appears from the records that there is longstanding dispute between the parties, which now they are attempting to resolve.

Considering the facts and circumstances and the submission so made on behalf of the petitioners, this



application is allowed. Let the petitioner Nos. 1, 2, 3, 4, 5, 7 and 8, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Jehanabad**, in connection with **Parasbigha P.S. Case No. 86 of 2017**, subject to the condition 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)

Praveen-II/-

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