

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34036 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -GANGABRIDGE District-
VAISHALI(HAJIPUR)

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1. Ramanand Rai @ Patta Rai, Son of Late Gulab Rai,
2. Ram Babu Rai,
3. Ram Dayal Rai, Both Sons of Ram Nandan Rai, All Resident of Village-
Terasia, P.S.- Ganga Bridge, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Ganga Bridge P.S. Case
No. 35 of 2017 instituted for the offence under Section-307 & other
minor Sections of the Indian Penal Code.

It has been submitted that there is case and counter case
between the parties. The counter case has been filed by Shyam Bahadur
Rai, S/o Ram Nandan Rai being Complaint Case No. 831 of 2017
which was sent to concerned police station u/S 156(3) of the Cr.P.C.
There is land dispute between the parties.

In the instant case, there is allegation against petitioner No.
1 that on his order, petitioner No. 2 assaulted the informant on his head
with farsa. The petitioner No. 3 is alleged to have assaulted the elder
brother of the informant with sickle. The injury reports of both the



injured have been enclosed as Annexure-3 to this petition wherein the doctor has found simple injury on the person of the injured.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Ganga Bridge P.S. Case No. 35 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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