

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47906 of 2017**

Arising Out of PS.Case No. -193 Year- 2016 Thana -UJIYARPUR District- SAMASTIPUR

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1. Premlal Rai, Son of Late Pabittar Rai,
2. Ram Briksha Rai, Son of Late Anandi Rai,
3. Ram Chandra Rai, Son of Late Chalittar Rai
4. Hare Krishna Rai, Son of Late Chalittar Rai
5. Mauje Lal Rai, Son of Late Chalittar Rai
6. Ram Pragash Rai, Son of Late Pabittar Rai, All resident of Village-  
Satanpur Nunfar Yadav Tola, P.S. Ujaiyarpur, District- Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      17-10-2017      Heard learned counsel for the petitioners and the State.

At the very outset, it has been submitted that during pendency of this application, petitioner No. 4 has already been arrested and hence, his prayer of anticipatory bail has become infructuous.

Accordingly, the prayer for anticipatory bail of the petitioner No. 4 is dismissed being infructuous.

So far as rest petitioners are concerned; they apprehend arrest in Ujiyarpur P.S. Case No. 193 of 2016 instituted for the offence under Section-307 & other minor Sections of the Indian Penal Code.

It has been submitted that there is land dispute between the parties. There is case and counter case between the parties.

Counsel for opposite party No. 2 has appeared and



submitted that injury has been sustained by both sides. It has been submitted that in the instant case as well as in the counter case, injuries have been found to be simple in nature.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner Nos. 1, 2, 3, 5 & 6 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 Ujiyarpur P.S. Case No. 193 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate, Dalsingsarai, Samastipur 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) petitioner Nos. 1, 2, 3, 5 & 6 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 petitioner Nos. 1, 2, 3, 5 & 6 and (3) if petitioner Nos. 1, 2, 3, 5 & 6 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 petitioner Nos. 1, 2, 3, 5 & 6 .

**(Sanjay Priya, J)**

A.K.V./-

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