

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47515 of 2017

Arising Out of PS.Case No. -168 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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1. Akash Kumar Singh, Son of Mithlesh Singh,
2. Awadhesh Singh @ Mantu Singh, Son of Late Bahadur Singh,
3. Nitish Kumar Son of Awadhesh Singh @ Mantu Singh,
4. Kundan Kunal Singh,
5. Navnit Singh, Both Sons of Satyendra Singh,
6. Satyendra Singh Son of Late Ganga Singh, All are R/o Village- Baradih,
P.S.- Muffasil, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Soni Shrivastava

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-10-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Gaya Muffasil P.S. Case No. 168 of 2017 instituted for the offence under Sections-387, 354, 354A, 379/34, 385, 341, 323 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. The counter case bearing Gaya Muffasil P.S. Case No. 167 of 2017, has been filed by Mithlesh Singh co-accused of this case against the informant of this case and his family members.

From the written report, it appears that general and omnibus allegation has been levelled against the petitioner of assaulting the informant and her husband. The case has been registered under



Sections-354, 354A and minor Sections of the Indian Penal Code.

From perusal of counter case, it appears that both cases have been registered for same date of occurrence.

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 Gaya Muffasil P.S. Case No. 168 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Gaya 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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