

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62465 of 2017

Arising Out of PS.Case No. -107 Year- 2017 Thana -AKHODHIGOLA District- SASARAM
(ROHTAS)

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1. Ayodhya Singh
2. Bharti Singh
Both sons of Lali Mahto @ Awadh Bihari Mahto @ Awadh Bihari Singh
Both residents of village Kolhai Baruna, P.S. Akorhigola, Distt. Rohtas at
Sasaram.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Smt. Asha Devi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Akorhigola**
P.S. Case No. 107 of 2017 instituted for the offence under
Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

In the instant case there is allegation that these
petitioners along with other co-accused persons assaulted the
informant with *lathi, tangi farsa* etc. due to which he sustained
fracture injury.

It has been submitted that petitioners and the
informant are agnates. There is land dispute between the parties
for which a Title Suit No. 708 of 2010 is pending. It has further



been submitted that for the same date of occurrence, First Information Report was lodged by the petitioners side vide Akorhigola P.S. Case no. 108 of 2017 in which petitioner No. 1 has sustained injury. It has further been submitted that in fact there is no injury on the side of the informant.

Therefore, seeing the case and counter case between the parties and also that there is land dispute between them, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Akorhigola P.S. Case No. 107 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned In-charge Sub Divisional Judicial Magistrate, Rohtas at Sasaram**, subject to the conditions as laid down under Section 438 (2) 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.

S.Ali/-

(Sanjay Priya, J)

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