

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38220 of 2017**

Arising Out of PS.Case No. -26 Year- 2016 Thana -DEORIYA District- MUZAFFARPUR

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1. Bhushan Kumar Son of Late Suresh Bhagat, R/o Village- Chand Kewari,  
P.S.- Deoriya, District- Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

with

**Criminal Miscellaneous No.39270 of 2017**

Arising Out of PS.Case No. -26 Year- 2016 Thana -DEORIYA District- MUZAFFARPUR

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1. Mukesh Bhagat, Son of Shambhu Bhagat, Resident of Village/Mohalla-  
Brahmpura, P.S.- Brahmpura, District- Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

(In Cr.Misc. No.38220 of 2017)

For the Petitioner/s : Mr. Rakesh Ranjan

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

(In Cr.Misc. No.39270 of 2017)

For the Petitioner/s : Mr. Rakesh Ranjan

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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

3      01-09-2017      Both these petitions arise out of the same case i.e.  
  
Deoriya P.S. Case No. 26 of 2016 registered under Section-307 &  
  
other minor Sections of the Indian Penal Code and accordingly,  
  
both the petitions are being heard and disposed of by this common  
  
order.

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in the above said case.

It has been submitted that from the written report itself, it



appears that there is land dispute between the parties. The doctor has found single injury on the person of the injured. One of the co-accused has been granted anticipatory bail by a coordinate bench of this court by order dated 01-07-2017 passed in Cr. Misc. No. 21391 of 2017.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his 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 Deoriya P.S. Case No. 26 of 2016 to the satisfaction of Sri A.K. Singh, learned Judicial Magistrate-Ist Class/concerned court, Muzaffarpur 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)**

A.K.V./-

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