

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51701 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -JOKIHAT District- ARRARIA

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1. Hari Prasad Biswas @ Hari Prasad, S/o Late Kare Biswas.
 2. Sukhdeo Biswas @ Sugdeo Bishwas, S/o Late Kare Biswas.
 3. Rohit Biswas @ Rohit Viswas, S/o Hari Prasad Biswas.
 4. Ankush Biswas @ Ankush Kumar, S/o Hari Prasad Biswas.
 5. Khikhra Biswas @ Khikharu Bishwas, S/o Sugdeo Biswas,
 6. Hajari Biswas @ Hajarur Bishwas, S/o Kartik Biswas
 7. Sharawan Biswas @ Shrawan Kumar, S/o Kartik Biswas.
 8. Bechan Biswas, S/o Gokul Biswas.
 9. Premlal Biswas, S/o Gokul Biswas.
 10. Ganesh Biswas, S/o Mahadeo Biswas.
 11. Dinesh Biswas @ Dinesh Kumar, S/o Mahadeo Biswas, all residents of
Village- Borel, P.S.- Jokihat (Mahalgaon) District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, adv

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 09-11-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Jokihat P.S.**

Case No.57 of 2017 instituted for the offence under Section(s)
307 and other allied Sections of Indian Penal Code.

Counsel for the petitioners has submitted that there
is general and omnibus allegation against these petitioners.

Prosecution case, as per written report of the
Informant is that on 22.02.2017 at about 2.30 PM petitioners
along with other accused were constructing house forcibly and on



protest they began to abuse and assault the Informant with fists and lathi. They were armed with Lahti, Bhala, Farsa and assaulted the mother, wife and son of the Informant by putting Gamcha on the neck of mother of the Informant. They assaulted with a view to kill his mother due to which she fell down. Accused Hari Prasad Biswan and Sukhdev Biswas torn the Saree and blouse of his mother and wife and outraged their modesty. Accused Prem Lal Bishwas and Khisaru snatched the silver necklace worth rupees four thousand, golden ring of rupees fifteen thousand. Accused Hari Prasad took away cash of rupees fifteen thousand from the pocket of the Informant.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Jokihat P.S. Case No.57 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, II, Araria**, 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.

(Sanjay Priya, J)

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