

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52384 of 2017

Arising Out of PS.Case No. -326 Year- 2017 Thana -MOTIHARI MUFAJIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sharwan Rai, Son of Chandra Deo Rai @ Chanardeo Rai,
 2. Radha Mohan Rai, Son of Late Nayak Rai,
 3. Nitesh Kumar, Son of Ram Vishwas Rai,
 4. Narad Rai, Son of Late Kapil Deo Rai,
 5. Vijay Kumar, Son of Hridya Rai,
 6. Dhurendra Paswan, Son of Late Ajit Paswan,
 7. Rakesh Kumar, Son of Binda Rai,
 8. Vidya Rai @ Vidyanand Rai, Son of Nayak Rai,
 9. Binda Rai, Son of Late Parma Rai,
 10. Manoj Rai, Son of Late Kapil Deo Rai, all residents of village-
Lakshmipur, Police Station- Pakariya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP
Mr. Sanjay Kumar No.7, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 21-12-2017

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the Informant.

Petitioners apprehend their arrest in **Muffasil**
(Lakhaura) P.S. Case No.326 of 2017 instituted for the offence
under Section(s) 307 and other allied sections of Indian Penal
Code and Section 27 of the Arms Act.

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



has been filed by the petitioner no.6 vide SC/ST P.S. Case No.80 of 2017 against the informant and others.

There is specific allegation against petitioner nos.1 and 2 of assaulting mother of the informant with *Gandasa*.

Case diary has been received.

Learned APP has submitted that injury on the person of mother of the informant is found to be simple in nature caused in the hand.

Counsel for the informant has appeared and opposed the prayer for bail.

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 **Muffasil (Lakhaura)P.S. Case No.326 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 **Chief Judicial Magistrate, East Champaran at Motihari**, 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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