

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54355 of 2017

Arising Out of PS.Case No. -293 Year- 2017 Thana -DARBHANGA SADAR District-
DARBHANGA

- =====
1. Basudeo Sah, son of late Govind Sah,
 2. Bachandeo Kumar @ Bachandeo Sah, son of Ashok Sah,
 3. Mahesh Sah, son of Basudeo Sah,
 4. Surendra Sah, son of Dinesh Sah,
 5. Santosh Sah, son of Mahesh Sah, &
 6. Dinesh Sah, son of Basudeo Sah, all are resident of Muria, P.S.-Sadar Bhalpatti (OP), District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Karn, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 10-11-2017

Heard learned counsel for the petitioners and learned

APP for the State.

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

Case No.293 of 2017 instituted for the offence under Section(s)
147, 148, 149, 447, 341, 323, 324, 379, 304, 506 Indian Penal
Code.

Counsel for the petitioners has submitted that both
sides are agnates. Occurrence has taken place on account of land
dispute. There is case and counter case between the parties.
Counter case has been filed by petitioner no.1 vide Complaint
Case No.995 of 2017 on 07.07.2017 against the informant and



others.

In the instant case, both parties have come to amicable settlement and compromise petition has been filed in the Court below.

In the written report, there is allegation against petitioner no.1 of giving sword blow on the head of the informant. It is further alleged that petitioner no.3 gave *Tengari* blow on the left leg of the informant. It is further alleged that petitioner no.6 gave *Tengari* blow on the informant's brother causing injury in his hand.

Counsel for the petitioners has submitted that petitioner nos.1 and 6 have also sustained injuries for which they were treated at DMCH and thereafter petitioner no.1 has filed complaint case.

In this manner, there was free fight between the parties and both sides sustained injuries.

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 **Sadar P.S. Case No.293 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, Darbhanga**, 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.

JA/-

(Sanjay Priya, J)

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