

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54073 of 2017**

Arising Out of PS.Case No. -103 Year- 2017 Thana -ARA MUFFASIL District- BHOJPUR

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1. Narbeshwar Rai, son of Prabhu Rai  
2. Saroj Rai, son of Prabhu Rai Both resident of Village- Piparhiya, P.S.-  
Ara (Muffasil), District- Bhojpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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

2      13-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Ara Muffasil P.S. Case No. 103 of 2017 instituted for the offence under Sections-379, 427 & other minor Sections of the Indian Penal Code.

It has been submitted that both parties are Gotiyas. There is land dispute between the parties. There is case and counter case between the parties. Injuries have been sustained by both sides. In para-7 of this petition, it has been mentioned that petitioner No. 1 sustained injury from the side of the informant and he lodged Ara Muffasil P.S. Case No. 104 of 2017 against the informant and others.

In the instant case, there is allegation against the petitioners of assaulting the informant and his brother on head with farsa.

The case has been registered for the offence under Sections-



324 of the Indian Penal Code by the police which was apparent from FIR as well as from the order of learned Sessions Judge.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their 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 Ara Muffasil P.S. Case No. 103 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara 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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