

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4277 of 2017

Arising Out of PS.Case No. -168 Year- 2016 Thana -UJIYARPUR District- SAMASTIPUR

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1. Baleshwar Das @ Phucho Das S/o Lat Nathuni Das
2. Rita Devi @ Geeta Devi D/o Baleshwar Das @ Pucho Das Both Resident
of Village- Balbiadrapur, P.S. Ujiarpur, District Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh -5, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Ujiarpur P.S.Case No. 168 of 2016 registered for the offences punishable under Sections 341, 323, 327, 307, 504 and 506/34 of the Indian Penal Code and later on Section 302 IPC was added.

It has been submitted on behalf of the petitioners that against petitioner No.1 there is allegation that he threshed the informant down and ride over her and pressed her throat by his knee and against petitioner No.2 she has assaulted the deceased and except that there is nothing against the petitioners and the injury report (Annexure-2) shows that there is no external injury on the person of the deceased. It has further been submitted that there is land dispute between the parties and for that large number of cases are going on between them.

Heard learned APP also, who has opposed the prayer for anticipatory bail.



Having heard both sides and considering the allegation and the nature of injuries sustained by the deceased, I am not inclined to grant anticipatory bail to petitioner No.1. His prayer for anticipatory bail is rejected. He may surrender and pray for regular bail in the court below, which shall be considered on its own merit, without being prejudiced by this order.

Let petitioner No.2, above named, in the event of her arrest or surrender in the court below within a period of two weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, dalsingsarai, in connection with Ujiarpur P.S.Case No. 168 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the conditions that petitioner will co-operate in the investigation and appear before the police, as and when required, and on failure on her part to appear before the police on two consecutive occasions, without showing any valid reason, her bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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