

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15914 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -JALALPUR District- SARAN

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1. Raja Sah @ Raja Kumar, S/o Bhuteli Sah @ Akhilesh Sah.
2. Roshan Kumar @ Roshan Kr. Sah @ Roman Kumar @ Roman Sah, S/o Mukurdhum Sah.
3. Rekha Kumari, D/o Mukurdhun Sah.
4. Muni Devi, W/o Mukurdhun Sah.
5. Koshilya Devi @ Kaushilya W/o Bhuteli Sah @ Akhilesh Sah.
6. Bhuteli Sah @ Akhilesh Sah, S/o Jamuna Sah.
All Resident of Village- Jalalpur, P.O. and P.S.- Jalalpur, District- Chapra, Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raghav Prasad, Advcoate.

For the Opposite Party/s : Mr. B.N. Pandey, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-06-2017 Heard Sri Raghav Prasad, learned advocate for the petitioners, and Sri B.N. Pandey, learned A.P.P. for the State.

The petitioners in the present case are seeking anticipatory bail in Jalalpur P.S. Case No. 13/2017 registered under Sections 341, 323, 324, 325, 307, 379, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that although petitioners no. 1, 3, 4 and 5 are named in the First Information Report but there is no specific allegation of assault against them; however, there are allegations against petitioners no.



2 and 6. Learned counsel further submits that there is a case and counter-case between the parties over a piece of land, both of them are neighbours and the entire family has been falsely implicated. The petitioners have no criminal antecedent.

Considering the facts and circumstances stated hereinabove and considering the submission that no specific allegation has been made against petitioners no. 1, 3, 4 and 5, let petitioners no. 1, 3, 4 and 5, namely, Raja Sah @ Raja Kumar, Rekha Kumari, Muni Devi and Koshilya Devi @ Kaushilya, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IX, Chapra, Saran in Jalalpur P.S. Case No. 13/2017, subject to the conditions under Section 438(2) of the Code of Criminal Procedure.

So far as the prayer for anticipatory bail with regard to petitioners no. 2 and 6 is concerned, the same is hereby rejected. However, in case they surrender in the court below within four weeks from today and apply for regular bail, their cases shall be considered by the court below on the basis of the materials



available on the record without being prejudiced by the order of
this Court.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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