

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26179 of 2017

Arising Out of PS.Case No. -188 Year- 2015 Thana -BISFI District- MADHUBANI

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1. Rambriksh Sadai @ Rambriksh Sada @ Rambriksh Saday, S/o Yogi Sada,
 2. Dilip Sadai @ Dilip Sada @ Dilip Saday, S/o Ganaur Sada.
 3. Mohan Sadai @ Mohan Sada @ Mohan Saday, S/o Jailal Sada,
 4. Kamlesh Sadai @ Kamlesh Sada @ Kamlesh Saday, S/o Sambhu Sada, R/o Vill.- Ghat Bhatra, P.S.- Bisfi, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 13-07-2017 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Bisfi P.S. Case No. 188 of 2015 registered for offences under sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 504 of the Indian Penal Code.

It is a case of free fight from both side and persons from the sides have received injury. Specific allegation has been made against the petitioners of causing injury.

Learned counsel for the petitioners submits that the petitioner no.1 is suffering from cancer.

In that view of the matter, let the petitioner no.1, namely, Rambriksh Sadai @ Rambriksh Sada @ Rambriksh



Saday, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Mr. R.K. Rajak, learned Judicial Magistrate, 1st Class, Benipatti, Madhubani in connection with Bisfi P.S. Case No. 188 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

There being direct allegation against the rest of the petitioners, this Court is not inclined to grant privilege of anticipatory bail to them.

Accordingly, the prayer for anticipatory bail of the petitioners, namely, petitioner no.2 Dilip Sadai @ Dilip Sada @ Dilip Saday, 3. Mohan Sadai @ Mohan Sada @ Mohan Saday and 4. Kamlesh Sadai @ Kamlesh Sada @ Kamlesh Saday is rejected.

If they surrender before the court below within a period of four weeks from today, the court below will consider their prayer for bail and shall pass an order in accordance with law on the same day of surrender itself without being prejudiced by this order.

(Shivaji Pandey, J)

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