

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52013 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -MUSRIGHARARI District- SAMASTIPUR

- =====
1. Ramashraya Rai
 2. Pravin Kumar
 3. Ramchandra Rai,
 4. Tuntun Rai,
 5. Naresh Rai,
 6. Maheshwar Rai,
 7. Santosh Rai @ Santosh Kumar Rai

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-12-2017

Heard learned counsel for the petitioners and the State.

At the outset, learned counsel for the petitioners has submitted that petitioner No. 3 has already been granted anticipatory bail by this court vide order dated 23-11-2017 passed in Cr. Misc. No. 55255 of 2017. Accordingly, name of the petitioner No. 3 is deleted from the petition.

The petitioner Nos. 1, 2, 4, 5, 6 & 7 apprehends arrest in Musrigharari P.S. Case No. 23 of 2017 instituted for the offence under Sections-307, 325 & other minor Sections of the Indian Penal Code.

It is alleged in the written report that on the date of occurrence, petitioners and other accused persons armed with Lathi, Danda and Farsa etc. arrived and assaulted the informant and his other



family members.

C.D. has been received.

The learned APP has submitted that the injury reports of all the three injured are available wherein the doctor has found all the injuries to be simple in nature.

From the written report itself, it appears that occurrence took place due to land dispute.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner Nos. 1, 2, 4, 5, 6 & 7 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 Musrigharari P.S. Case No. 23 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Samastipur 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) petitioner Nos. 1, 2, 4, 5, 6 & 7 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 petitioner Nos. 1, 2, 4, 5, 6 & 7 and (3) if petitioner Nos. 1, 2, 4, 5, 6 & 7 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 petitioner Nos. 1, 2, 4, 5, 6 & 7 .
(Sanjay Priya, J)

A.K.V./-

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