

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55324 of 2017

Arising Out of PS.Case No. -285 Year- 2016 Thana -MADHUBANI TOWN District-
MADHUBANI

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1. Krishna Nand Kumar, Son of Late Shyam Narayan Ram,
2. Brahma Nand Ram, Son of Late Shyam Narayan Ram,
3. Bidya Nand Ram, Son of Late Shyam Narayan Ram,
4. Rama Nand Ram, Son of Late Shyam Narayan Ram, Petitioner NO. 1 to 4 resident of Village- Purani Chatti, Ward No. 6, P.S. and District- Madhubani.
5. Misri Das, Son of Late Dasai Das.
6. Prem Kumar Das, Son of Misri Das. Petitioner NO. 5 and 6 residents of Ayachi Nagar, P.S. and District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Madhubani Nagar P.S. Case No. 285 of 2016 instituted for the offence under Sections 341, 323, 447, 448, 354(B)/385 and 379/34 of the Indian Penal Code.

Counsel for the petitioners has submitted that the petitioners and the informant are members of the same family and there is land dispute between the parties. Partition Suit No. 459 of 2013 is pending in which the petitioner no. 1 is the plaintiff and the informant is one of the defendants.



It is alleged in the written report that after entering into the house of the informant, petitioners assaulted the daughters of the informant. They also tried to misbehave with them and snatched articles worth Rs. one lac and looted Rs. 40,000/- cash. It is mentioned in paragraph-3 of this petition that the petitioners have no criminal antecedent.

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 Madhubani Nagar P.S. Case No. 285 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Madhubani, 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)

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