

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13328 of 2017

Arising Out of PS.Case No. -539 Year- 2016 Thana -MARHAURA District- SARAN

- =====
1. Nand Kishore Pandey, Son of Jagdish Pandey
 2. Rajendra Sah @ Bawali, Son of Late Shiv Pujan Sah
 3. Nathuni Sah, Son of Late Shiv Pujan Sah
- Above Noted three persons are Resident of Village- Amnour, P.S. Amnour, District Saran.
4. Santosh Kumar Sah, Son of Late Kanhaiya Sah, Resident of Village- Koreya, P.O. Khaira, P.S. Dariapur, District Saran (Chapra).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anurag Pandey, Advocate.

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-05-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Madhoura P.S. Case No. 539 of 2016 instituted for the offence under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that occurrence has taken place on account of land dispute.

There is general and omnibus allegation against these petitioners. It is mentioned in paragraph-3 of the bail petition that petitioners have no criminal antecedent. Although, *Fardbeyan* has



been recorded at P.M.C.H. but there is no injury report of the P.M.C.H. in this case.

In paragraph-34 of the case diary, it appears that Chowkidar has stated that there is no mention as to when the injured was admitted and as to when he was relieved from the Hospital, and in absence of the same, the injury report will not be available.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Madhoura P.S. Case No. 539 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 2nd, Chapra (Saran), subject to the conditions as laid down under Section 438 (2) 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)

S.Ali/-

U		T	
---	--	---	--

