

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42117 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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1. Abhilasha Devi, W/o Dasharath Mandal,
 2. Rinku Devi, W/o Birendra Mandal,
 3. Anju Devi, W/o Kokan Mandal,
 4. Kokan Mandal @ Shyam Sunder Mandal, Son of Berasi Mandal,
- All R/o Village- Karnpur, P.S.- Shambhuganj, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate.
For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Shambhuganj P.S. Case No. 79 of 2016 instituted for the offence under Sections 143, 147, 148, 149, 188, 353, 504 and 506 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that there is general and omnibus allegation against them in the written report.

As per written report, due to land dispute between two parties, one person has died and others injured who were referred to Sadar Hospital, Banka. The police has reached in the village on the basis of *Fardbeyan* of Rupma Devi and then the people of the locality blocked the road and started raising slogan when police attempted to remove the dead body. The people were giving pressure to the police



party to arrest the accused persons. As such, there is no specific overt act alleged against the petitioners.

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 Shambhuganj P.S. Case No. 79 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 Sub Divisional Judicial Magistrate, Banka, 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)

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