

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44052 of 2018

Arising Out of PS. Case No.-850 Year-2017 Thana- BANKA District- Banka

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1. Bambam Maharana, S/o Late Kamleshwari Maharana,
 2. Mritunjay Maharana, S/o Late Kamleshwari Maharana, Both are
R/o Vill.- Mirzapur, P.S.- Barahat, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Sri Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Banka (Barahat) P.S.
case 850 of 2017 instituted for the offence under Section(s)
147, 148, 149, 341, 323, 324 and 307/504 of the Indian Penal
Code and Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that the
present case is counter blast of Banka (Barhat) P.S. case no.
852 of 2017 instituted by co accused Sadanand Maharana
against the informant and others. Petitioners have clean



antecedents.

In the written report, it is alleged that firing was made by the both the petitioners and other accused persons caused injury to the informant with bricks. But no fire arm injury was found on the person of the informant. From the written report itself it is apparent that occurrence has taken place on account of land dispute.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Banka (Barahat) P.S. case 850 of 2017, 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 the CJM 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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