

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13483 of 2018

Arising Out of PS.Case No. -22 Year- 2017 Thana -JAHANABAD District- JEHANABAD

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1. Rohit Kumar, S/o Birendra Yadav
2. Bibha Devi, W/o Ranu Kumar
3. Deepak Kumar, S/o Birendra Yadav
4. Pankaj Kumar, S/o Sundhara Yadav,
5. Sumendra Yadav, S/o Late Gayachand Yadav,
6. Sabita Devi, W/o Sundhara Yadav, All Resident of Village- Shiva Bigha,
P.S.- (Kalpa O.P.), District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Jehanabad (Kalpa O.P.) P.S.Case No.22 of 2017 , registered for offences punishable under Sections 147, 149, 341, 323, 307, 506, 504 and 379 of the Indian Penal Code.

Allegation against the petitioner No.5 (Sumendra Yadav) is of assault by iron rod and the allegation against the other accused persons is of assault by *lathi*.

Submission of the learned counsel for the petitioners is that there is a land dispute between the parties and the proceeding under Sections 144 and 107 of the Cr.P.C. was going on and further



all the injuries are found to be simple in nature.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jehanabad in connection with Jehanabad (Kalpa O.P.) P.S.Case nO.22 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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