

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11189 of 2018

Arising Out of PS.Case No. -166 Year- 2014 Thana -GHANSHYAMPUR District- DARBHANGA
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1. Durgesh Jha, Son of Sunil Jha,
2. Krishan Murari Jha, Son of Ram Chandra Jha,
3. Shamsad Alam @ Md Shamsad Alam, Son of Salim,
4. Bandana Devi, Wife of Binod Kumar Jha,
5. Mishri Lal Yadav, Son of Bhogi Lal Yadav,
6. Kamlesh Mukhiya, Son of Bhikho Mukhiya,
7. Girish Choupal, Son of Late Rameshwar Choupal, all resident of Village- Ganaun, P.S.-Ghanshyampur, Dist- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amish Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 08-03-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in

Ghanshyampur P.S. Case No.166 of 2014 instituted for the
offence under Section(s) 147, 149, 341, 323, 353, 332, 427, 504
Indian Penal Code.

Counsel for the petitioners has submitted that there
is general and omnibus allegation against the petitioners in the
written report.

It is alleged in the written report that on the basis of
information received by the SDO, Biraul, that 15-17 bags of



wheat and rice of flood relief is kept in the house of Ward Member, Poonam Devi, the police reached her house and thereafter 20-25 villagers after forming unlawful assembly abused and scuffled with the informant and other officials.

In this manner, there is general and omnibus allegation against the petitioners.

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 **Ghanshyampur P.S. Case No.166 of 2014**, 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 **Judicial Magistrate, 1st class, Biraul at Benipur**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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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