

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16725 of 2018

Arising Out of PS.Case No. -694 Year- 2017 Thana -BANKA District- BANKA

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1. Jai Prakash Singh @ Prakash Singh, Son of Kamleshwari Singh.
2. Ankush Singh, Son of Jai Prakash Singh @ Prakash Singh.
3. Beena Devi, Wife of Jai Prakash Singh @ Prakash Singh,

All residents of Village- Chhatarpal Tola, Kukurgora, P.S.- Banka, District-Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-03-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Banka P.S. Case No. 694 of 2017** instituted for the offence under Sections 448, 341, 323, 325, 379, 380 and 504/34 of the Indian Penal Code.

It has been submitted that there is land dispute between the parties. Both the parties are agnates. The geneology of family of the petitioners and informant has been mentioned in paragraph-6 of the bail petition. There is allegation against petitioner No. 2 that he gave iron rod blow to wife of the informant causing injury in the hand and also assaulted the son of the informant. There is no allegation of any specific overt act against petitioner Nos. 1 and 3.

From the written report itself it appears that occurrence has taken place on account of land dispute. The petitioner No. 2 has



caused injury in the hands of wife of the informant which is not a vital part of the body.

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 **Banka P.S. Case No. 694 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 **learned Chief 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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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