

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31149 of 2018**

Arising Out of PS. Case No.-107 Year-2018 Thana- MARHAURA District- Saran

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1. Laxmina Devi, W/o Ganesh Prasad,  
2. Punam Devi, W/o Arjun Prasad,  
3. Anita Devi, W/o Pappu Prasad@ Bambaiya  
4. Arjun Prasad, S/o Ganesh Prasad,  
5. Pappu Prasad @ Pappu Kumar@ Bambaiya, S/o Mahesh Prasad, All are  
R/o Village- Hathisar, P.S. Gaura, O.P. (Marhourah), District- Saran at  
Chapra (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rakesh Kumar, Advocate  
For the Opposite Party/s : Mr. Bisheshwar Ram, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      18-05-2018                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners apprehend arrest in Marhourah  
(Gaura O.P.) P.S. Case No.107 of 2018, instituted for the offence  
under Sections 147, 148, 149, 323, 325, 307, 337, 338, 353,  
332, 333, 427, 447 of the IPC.

Counsel for the petitioners submits that there is  
general and omnibus allegation against these petitioners.

In the written report, it is alleged that these  
petitioners along with other accused persons armed with brick,  
stones etc. attacked on the informant and police officials and  
started pelting stones, bricks on account of which informant



sustained injuries. It is further mentioned in the written report that informant has gone to village with other police officials on account of land dispute between Sheo Shankar Prasad and Janki Prasad.

The learned counsel for the petitioners submits that petitioner has no concern with aforesaid two persons. There was land dispute between the parties. It is mentioned in the injury report that injuries are simple in nature.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Marhourah (Gaura O.P.) P.S. Case No. 107 of 2018, to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Saran at Chapra, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive



dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers 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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