

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37390 of 2018

Arising Out of PS.Case No. -380 Year- 2017 Thana -MARHAURA District- SARAN

- =====
1. Krishna Singh, s/o late Baijnath Singh, r/o village- Mubarakpur, P.S.- Marhowrah, District- Saran at Chapra.
 2. Mithilesh Singh, s/o late Bhola Singh, r/o village- Hasanpura, P.S.- Marhowrah, Dist- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate
For the Opposite Party/s: Mr. Md. A. H. Sahara, APP
For the Informant : Mr. Narendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 11-07-2018

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the Informant.

Petitioners apprehend their arrest in **Marhowrah**
P.S. Case No.380 of 2017 instituted for the offence under
Section(s) 452, 386, 504/34 Indian Penal Code.

Counsel for the petitioners submits that there is
dispute between Lal Muni Devi and the Informant with regard to
the house in question. The petitioners are not related with Lal
Muni Devi. The petitioners are merely villagers having no
concern with aforesaid property.

It has been submitted that other co-accused with
similar allegation have been granted anticipatory bail by this
Court by order dated 11.04.2018 passed in Cr. Misc. No.17991 of
2018.



Counsel for the informant has appeared and opposed the bail.

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 **Marhowrah P.S. Case No.380 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 **Judicial Magistrate, 1st class, Saran at Chapra**, 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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