

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33197 of 2018

Arising Out of PS. Case No.-177 Year-2018 Thana- BUXAR District- Buxar

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1. Radhe Shyam Lal @ Radhey Shyam Lal,
 2. Shiv Bihari Lal,
 3. Brij Bihari Lal, All sons of Late Baleshwar Lal, Resident of Village- Chanda, P.S.- Dumraon (Naya Bhojpur O.P.), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan
For the Opposite Party/s : Mr. Smt Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-07-2018 Heard learned counsel for the petitioners ,learned APP for the State and learned counsel for the informant.

Petitioners apprehend their arrest in Buxar (Town) P.S. case no. 177 of 2018 instituted for the offence under Section(s) 147, 148,149, 341, 342, 323, 504, 379 and 307 of the Indian Penal Code.

It is submitted that both parties are co villagers and civil dispute is pending between the parties. The informant wanted to withdraw the money in the land acquisition case which was objected by these petitioners claiming the land belonging to them and thereafter the instant case case has been filed. In the instant case, it is alleged that petitioners assaulted the informant



with Hockey stick. The injury report of the informant is annexed as Annexure-2 which shows that doctor has found total seven injuries. Out of which injury nos.1, 2, 5, 6 and 7 were simple in nature. Opinion regarding injury nos. 3 and 4 were kept reserved. No final opinion has been received. Learned counsel further submits that petitioners have also filed complaint vide Complaint case no. 650 C of 2017 which is pending. Besides that, there is other civil cases also pending between the parties.

Learned counsel for the informant has appeared and opposed the prayer.

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 Buxar (Town) P.S. case no. 177 of 2018 , 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 CJM Buxar, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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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