

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71068 of 2018

Arising Out of PS. Case No.-265 Year-2018 Thana- BHORE District- Gopalganj

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1. Bhuwal Gond S/o Late Ram Lal Gond
 2. Satyendra Gond S/o Bhuwal Gond
 3. Sailesh Gond S/o Bhuwal Gond
 4. Balmiki Gond S/o Bhuwal Gond
 5. Dhanu Gond S/o Satyendra Gond All Resident of Village-Chatiyawn, P.S. Bhore, Distt.-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Petitioners are apprehending arrest in connection with
Bhore P.S. Case No. 265 of 2018 for the offence under sections
341, 323, 324, 307, 504, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners have no criminal antecedent.

Considering the fact that there is no overt act alleged
against petitioner nos. 1 and 5, the Court is inclined to grant bail
to petitioner nos. 1 and 5, let the petitioners, namely, Bhuwal
Gond and Dhanu Gond in the event of arrest or surrender
before the court below within a period of four weeks from the



date of receipt/production of a copy of this order, be enlarged on 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, Gopalganj, in connection with Bhore P.S. Case No. 265 of 2018 subject to the condition as laid down under section 438(2) of the Cr.P.C.

So far as petitioner nos. 2,3 and 4 are concerned, the Court having regard to the fact that there is specific allegation of overt act against them, the Court is not inclined to grant anticipatory bail. However, rejection of their prayer for anticipatory bail will not cause any prejudice.

In the event, the petitioner nos. 2, 3 and 4 surrender before the court below and pray for regular bail, the court below is directed to dispose of the application for regular bail on the same day on its own merit without being prejudiced by the rejection of the application for anticipatory bail.

(Anil Kumar Upadhyay, J)

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