

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44349 of 2018

Arising Out of PS. Case No.-91 Year-2018 Thana- KURTHA District- Jehanabad

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1. Sailesh Singh,
 2. Samendra Singh
 3. Salendra Singh,
 4. Ram Babu Singh,
 5. Chhotu Singh
 6. Harendra Singh All are Sons of Mithilesh Singh,
 7. Mithilesh Singh S/o Late Achhayabar Singh, All R/o Vill.-
Kamaria, P.S.- Kurtha, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Shankar Das
For the Opposite Party/s : Mr. Sri Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 21-08-2018 Heard learned counsel for the petitioners, learned APP for
the State and learned counsel for the informant.

Petitioners apprehend their arrest in Kurtha P.S. case no.
91 of 2018 instituted for the offence under Section(s) 147, 148,
149, 341, 323, 324, 326, 307, 379 and 504 of the Indian Penal
Code and Section 27 of Arms Act.

Learned counsel for the petitioners has submitted that
there is land dispute between the parties. There is case and
counter case between both the parties. Kurtha P.S. case no. 99 of
2015, Kurtha P.S. case no. 94/18, Kurtha P.S. case no. 102/16
and Kurtha P.S. case no. 160/15 have been filed on behalf of



the petitioner's side against the informant and others.

In the written report there is general and omnibus allegation against all the petitioners of assaulting the informant and his family members with lathi, Garasa, gun, iron rod etc.

Learned counsel for the petitioners has submitted that all the injuries sustained by the injured are simple in nature. Learned Sessions Judge, Jehanabad, has mentioned in the impugned order that none has sustained fire arm injury.

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 Kurtha P.S. case no. 91 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, Arwal, 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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