

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12582 of 2018

Arising Out of PS.Case No. -166 Year- 2014 Thana -GHANSHYAMPUR District- DARBHANGA
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1. Mahadeb Jha, Son of Ram Chandra Jha
2. Gulabi Devi, Wife of Ram Chandra Jha
Both Resident of Village-Ganaun, P.S.-Ghanshayampur, District-Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Amish Kumar, Advocate.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-04-2018 Heard learned counsel for the petitioners and the State.

The petitioner No. 2 namely, Gulabi Devi, has already been granted provisional anticipatory bail by co-ordinate Bench of this Court vide order dated 28.02.2018.

The petitioners apprehend their arrest in **Ghanshyampur P.S. Case No. 166 of 2014** instituted for the offence under Sections 147, 149, 341, 323, 353, 332, 427 and 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that other co-accused persons with similar allegation have already been granted anticipatory bail by this Court vide order dated



8.3.2018 passed in Cr. Misc. 11189 of 2018.

It is alleged in the written report that on the basis of information received by the SDO, Biraul, that 15-17 bags of wheat and rice of flood relief is kept in the house of Ward Member, Poonam Devi, the police reached her house and thereafter 20-25 villagers after forming unlawful assembly abused and scuffled with the informant and other officials.

In this manner, there is general and omnibus allegation against the petitioners.

The provisional anticipatory bail granted to the petitioner No. 2 namely Gulabi Devi, by coordinate Bench of this Court vide order dated 28.02.2018 is hereby confirmed.

So far petitioner No. 1 is concerned, prayer for anticipatory bail of the petitioner No. 1, namely, Mahadeb Jha, is allowed. In the event of surrender/arrest of the petitioner No. 1, named above, within six weeks from today, in connection with **Ghanshyampur P.S. Case No. 166 of 2014**, he 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 **learned Judicial Magistrate, 1st Class, Biroul at Benipur**, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner 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 petitioner.

(Sanjay Priya, J)

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