

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37431 of 2018

Arising Out of PS. Case No.-107 Year-2018 Thana- MARHAURA District- Saran

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Tukar Rai @ Tudar Rai @ Manoj Rai, Resident of Village- Khawasi, P.S.-
Baniyapur, District- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Marhowrah Gaura O.P. P.S. Case No.107 of
2018, registered for the offence punishable under Sections 147,
148, 149, 323, 325, 307, 337, 338, 353, 332, 333, 427 and 447
of the Indian Penal Code.

For a piece of land two group of persons were
fighting, has generated criminal cases in between the parties. On
the fateful day, the Police has received an information that on
account of a piece of land, Shankar Prasad and Janki Prasad
have settling their score. The Police intervened in the matter,



thereafter, about 100-125 persons in mob came and started assaulting the Police party and caused injury to them.

Learned counsel for the petitioner submits that no specific allegation has been made against the petitioner, save and except, that he was a member of the mob. He further submits that the petitioner has no criminal history.

Looking to the aforesaid facts, let the petitioner, Tukar Rai @ Tudar Rai @ Manoj Rai, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, XIII, Saran at Chapra, in connection with Marhowrah Gaura O.P. P.S. Case No.107 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the Police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled. This is also subject to the condition that if the petitioner would be found involved in



similar type of action in future, the prosecution will be at liberty
to make prayer for cancellation of bail of the petitioner.

(Shivaji Pandey, J)

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