

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17991 of 2018

Arising Out of PS.Case No. -380 Year- 2017 Thana -MARHAURA District- SARAN

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1. Jitendra Kumar (Batlu) @ Jitendra Batlu, Son of Late Rajdeo Singh,
2. Sonu Kumar, S/o Sanjay Singh,
Both resident of Village- Baisya Tola, P.S.- Marhowrah, District- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate.
For the informant : Mr. Anant Kumar Bhaskar, Advocate
Mr. Sanjay Kumar Jha, Advocate.
Dr. Rajesh Kumar Singh, Advocate.
For the State : Mr. Sakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 11-04-2018 Heard learned counsel for the petitioners, learned
counsel for the informant and learned counsel for the State.

The petitioners apprehend their arrest in **Marhowrah**
P.S. Case No. 380 of 2017, corresponding to G.R. No. 6203 of
2017 instituted for the offence under Sections 452, 386, 504/34 of
the Indian Penal Code.

In the written report it is alleged that the house of
Lalmuni Devi was under mortgage in State Bank of India,
Marhowrah Branch, and the same was purchased by the informant
through Bank after making payment and the mortgage was
redeemed. It is further alleged that while informant was getting



aforesaid house repaired, Lalmuni Devi, Gena Pandit and his other family members caused obstruction in repairing work of the said house and also started abusing and assaulting the informant. The cousin brother who was also repairing the house, fled away from the place of occurrence. It is also alleged that petitioners broke the lock of the house and co-accused Lalmuni Devi and other persons entered into the house and gave threat to kill the informant.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners. Petitioners are not family members of Lalmuni Devi. There is dispute between Lalmuni Devi and informant with regard to the house in question. It has further been submitted that petitioners are not related with Lalmuni Devi. They are merely villagers and they have falsely been implicated in this case.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Marhowrah P.S. Case No. 380 of 2017 corresponding to G.R. No. 6203 of 2017**, 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 learned **Judicial Magistrate, 1st**



Class, Saran at Chapra, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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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