

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8671 of 2018

Arising Out of PS.Case No. -583 Year- 2017 Thana -BANKA District- BANKA

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1. Indradeo Bagbai Son of late Ram Bagbai
2. Kundan Bagbai Son of Indradeo Bagbai
3. Diwakar Bagbai Son of Indradeo Bagbai
4. Manju Devi Wife of Indradeo Bagbai All are Resident of Village-
Ranganiya, P.S. Banka, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 21-02-2018

Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in relation to Banka P.S. Case No. 583/2017 registered under Sections 447, 341, 323, 324, 308, 379, 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the parties are own Gotias. There is case and counter case from which it appears that they had a fight on some petty issues which is reflected from the fardbeyan of the informant.

It is further submitted that both the parties



have assaulted each other however the allegation of assault on head of the informant is against the accused Indradeo Bagbai (petitioner no. 1). There is no allegation of assault against others.

Learned Additional Public Prosecutor for the State is present.

Considering the facts and circumstances particularly that the petitioners are own gotias and there is a case and counter case in which both have assaulted each other, I am inclined to grant anticipatory bail to petitioner nos. 2, 3 and 4, in the event of their arrest/surrender before the court below within four weeks, let the above named petitioner nos. 2, 3 and 4 be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 583/2017, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far as the prayer for anticipatory bail of petitioner no. 1 is concerned, the same is rejected. However, petitioner no. 1, if so advised, may surrender in the court



below within a period of four weeks from today, the same shall be considered by the court below in accordance with law keeping in mind that there is a case and counter case and both parties are said to have caused injuries.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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