

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4755 of 2018

Arising Out of PS.Case No. -217 Year- 2017 Thana -PHULWARIA District- GOPALGANJ

- =====
1. Basudeo Rai,
 2. Alok @ Rudal Rai, Both sons of Late Brahma Rai, Resident of Village- Kandhawaria Manjha, P.S. Phulwaria, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-02-2018

The petitioners seek bail in anticipation of their

arrest in connection with Phulwaria P.S. Case No. 217 of 2017 dated 01.11.2017 instituted for the offences under Sections 341, 323, 324, 504, 506, 307, 34 of the Indian Penal Code.

It is alleged that on the orders of petitioner No. 1, petitioner No. 2 is said to have assaulted the grand-son of the informant, leading to injuries on his person.

I am not inclined to grant anticipatory bail to petitioner No. 2 viz. Alok @ Rudal Rai. His prayer for anticipatory bail is, therefore, rejected.

From the records of the case, it appears that petitioner No. 1 is the own agnate of the informant and there is a land dispute between them. The whole occurrence arose when the



accused persons including the petitioner No. 1 were trying to obstruct the road which was opposed by the informant.

Taking into account the fact that petitioner No. 1 is not said to have assaulted the victim (Abhishek), he is directed to be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, subject to his furnishing bail bond in the sum of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 13, Gopalganj in connection with Phulwaria P.S. Case No. 217 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Ashutosh Kumar, J)

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