

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 73137 of 2018

Arising Out of PS. Case No.-58 Year-2018 Thana- BHARGAMA District- Araria

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1. Bindeshwari Sah @ Bindeshwari Prasad Sah
 2. Santosh Sah
 3. Gita Devi All petitioners are son and daughter of late Narayan Sah Resident of Village- Mahthawa, Ward No. 13, P.S. Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 20-12-2018 Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners seek anticipatory bail in a case registered under Sections 341, 323, 324, 307, 354B, 504, 506/34 of Indian Penal Code.

It is submitted by the petitioners' counsel that the petitioners and informant are neighbours and the scuffle has taken place due to the rival claims in respect of possession of disputed land. It is further submitted that there is case and counter case. Petitioners have also lodged *Bhargama Police Station Case No 59 of 2018* and the parties have suffered injuries as is apparent from Annexure 3 and 4 of the petition.



Prior to the instant case, petitioners have no criminal antecedent.

Considering the aforesaid submissions and the facts and circumstances of the case, prayer for anticipatory bail is allowed. Let the petitioners above named, in the event of their arrest or surrender within four weeks from today, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in Bhargama Police Station Case No 58 of 2018 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code and also with the following conditions:

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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