

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12437 of 2018

Arising Out of PS.Case No. -661 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sheo Shankar Sah, son of late Ram Singar Sah
2. Munna Sah, son of Harendra Sah
3. Manoj Bhagat, son of Harandeo Bhagat
4. Bhagirath Bhagat, son of Basdeo Bhagat
5. Lalbabu Bhagat, son of Jagarnath Bhagat
All resident of village Semra, P.S. Turkauliya, Distt. East Champaran.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshuman Singh, Advocate.

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Turkauliya**
P.S. Case No. 661 of 2017 instituted for the offence under
Sections 147, 341, 323, 332, 353, 504, 333 of the Indian Penal
Code and Section 11 of the Public Gambling Act.

In the written report it is alleged that during night
patrolling duty, the informant along with Police party arrived at
the door of Umesh Bhagat, and saw 50 persons including the
petitioners playing gambling. On query, they attacked on the
policy party with *lathi*, *Phatta*, *bottle* etc. on account of which,
SAP Jawan Sheoji Prasad Singh has sustained injury in his arm.



Learned counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners in the written report.

The injury report has been enclosed as Annexure-2 wherein the Doctor has found the injury to be simple in nature caused by hard and blunt substance.

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 **Turkaulia P.S. Case No. 661 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 Chief Judicial Magistrate, Motihari at East Champaran**, 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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