

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45289 of 2018

Arising Out of PS.Case No. -89 Year- 2018 Thana -CHANDAUTI District- GAYA

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1. Uday Shankar Das,
2. Uma Shankar Das,
3. Rama Shankar Das,
4. Prem Shankar Das, All sons of Krishna Das, null
5. Hari Vansh Kumar,
6. Harendra Kumar, Both sons of Uday Shankar Das,
7. Krishna Das, Son of Parmeshwar Das, All residents of Village- Balna,
P.S.- Chandauti, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Chandauti
P.S. Case No. 89/2018, instituted for the offences punishable
under Sections 147, 149, 448, 307, 379 and 504 of the Indian
Penal Code.

Learned counsel for the petitioners has submitted that
there is land dispute between the parties. There is case and counter
case between the parties. Petitioner no. 3 has also lodged a case
vide Chandauti P.S. Case No. 88/2018 dated 13.05.2018 against
the informant and others.



In the instant case, there is allegation that the petitioners armed with *lathi*, *danda*, rod and *Garasa* came and assaulted the informant and his family members causing injury. Injury report has been enclosed as Annexure-4 Series, which shows all the injuries sustained by informant's side are simple in nature except one of the injuries, i.e. injury no. 1 on Ramkrit Das, Rambali Das, Navin Das and Manoj Das is opined to be grievous in nature.

Considering the facts and circumstances of the case, the 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 Chandauti P.S. Case No. 89/2018, 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 the learned Chief Judicial Magistrate, Gaya, subject to the conditions as laid down under Section 438(2) of the 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond



of the petitioners 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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