

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3710 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- BAJPATTI District- Sitamarhi

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1. Umesh Ray @ Umesh Rai, son of Bllash Rai @ Vilas Ray,
 2. Naresh Ray @ Naresh Rai, son of Late Ram Balam Rai
 3. Vijoy Ray @ Bijay Rai, son of Bikau Rai @ Vikau Ray
 4. Siyasharan Ray @ SiyaSharan Rai, son of Sukdev Rai
- Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-01-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bajpatti Police Station Case No. 45 of 2018, disclosing offences under Sections 147, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code.

Learned Counsel for the petitioners has submitted that there is allegation against co-accused, Jagdish Roy, of having assaulted the informant with farsa (axe). So far as these petitioners are concerned, the allegation against petitioners 2 and 3 is that they assaulted persons other than the informant. There is no allegation of assault against petitioners 1 and 4. It is also alleged that petitioners 3 and 4 took away certain cash amount from the house of the informant.



Considering the submission that based on counter version in respect of the same occurrence, another First Information Report has been registered and that there is land dispute between the parties, a case for grant of anticipatory bail is made out.

Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri, at Sitamarhi, in connection with Bajpatti Police Station Case No. 45 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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