

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21005 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- BHARGAMA District- Araria

1. BANKAR MUKHIA Son of Subadhu Mukhia Resident of Village-Tharuapatti, Ward No.12, P.S.-Bhargama, District-Araria.
2. Sintu Mukhia Son of Bankar Mukhia, Resident of Village-Tharuapatti, Ward No.12, P.S.-Bhargama, District-Araria.
3. Pintu Mukhia Son of Bankar Mukhiya, Resident of Village-Tharuapatti, Ward No.12, P.S.-Bhargama, District-Araria.
4. Bhogi Mukhia @ Bhogi Rishideo Son of Late Bihari Rishideo, Resident of Village-Tharuapatti, Ward No.12, P.S.-Bhargama, District-Araria.
5. Jago Rishideo, Son of Late Bihari Rishideo, Resident of Village-Tharuapatti, Ward No.12, P.S.-Bhargama, District-Araria.
6. Yugal Rishideo Son of Late Bihari Rishideo, Resident of Village-Tharuapatti, Ward No.12, P.S.-Bhargama, District-Araria.
7. Raj Kishor Rishideo, Son of Guneshwar Rishideo, Resident of Village-Tharuapatti, Ward No.12, P.S.-Bhargama, District-Araria.
8. Sanjiv Rishideo Son of Jageshwar Rishidev, Resident of Village-Tharuapatti, Ward No.12, P.S.-Bhargama, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bhargama P.S. Case N0. 22 of 2019, disclosing offences under Sections 341,323,324,307,379,504,506/34 of the Indian Penal Code.

It is alleged in the First Information report that the



accused persons were constructing house over a piece of land belonging to the informant, which was objected to, by the informant. There is allegation against petitioner no.1 of having assaulted the informant thrice in his head with a *dabia*. It is alleged that accused persons also took away a golden chain from the two brothers of the informant.

Learned counsel appearing on behalf of the petitioners, has referred to the injury report, to submit that the injuries on the informant has been found to be simple in nature. For the same occurrence another First Information Report has been registered by the petitioner No.1 for the offences punishable under Sections 341,323,436,504,506/34 of the Indian Penal Code and Sections 3(i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the petitioners has assured this Court that if the persons named in the First Information Report in the counter case seek regular bail, the informant of that case shall not oppose their prayer for bail.

Considering the above submission, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below,



be released on 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, Araria in Bhargama P.S. Case No. 22 of 2019, subject to the conditions as 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)

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