

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50393 of 2019

Arising Out of PS. Case No.-282 Year-2018 Thana- BARHARIA District- Siwan

1. OM PRAKASH @ OM PRAKASH PRASAD Son of Sarvajee Prasad @ Sarvajit Prasad, Resident of Village- Haleem Tola, P.S.- Barharia, District- Siwan.
2. Sonu Kumar Son of Hareram Prasad, Resident of Village- Haleem Tola, P.S.- Barharia, District- Siwan.
3. Sanjeet Kumar Son of Shambhu Dayal Prasad, Resident of Village- Haleem Tola, P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 14-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Barharia P.S. Case No. 282 of 2018
registered for offence punishable under sections 147, 341, 323,
379, 380, 427, 504 and 506 of the Indian Penal Code.

Allegation has been made that about 30 villagers
assembles with different weapons and started damaging the
boundary wall in order to construction of road and when the
son of informant had gone for protest, he was assaulted and his
other family members were also assaulted.



The learned counsel for the petitioners has placed reliance on the order of the learned Sessions Judge wherein it has been mentioned that in paragraph 14 of case diary, the police had gone there but did not find any damage either in the boundary wall or in the house of the informant.

In such view of the matter, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Barharia P.S. Case No. 282 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

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(Shivaji Pandey, J)

