

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56524 of 2019

Arising Out of PS. Case No.-618 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. GOPAL DAS S/o Jagdish Das
 2. Bishundeo Das S/o Ram Karan Das
 3. Guddu Das S/o Ramesh Das
 4. Kailash Das S/o Ramdhari Das
All residents of Mohalla- Head Manpur, Jora Masjid, P.S.- Buniyadganj,
District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madan Mistry son of Late Janki Mistry R/v- Head Manpur Jora Masjid P.S.-
Buniyadganj Distt.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-09-2019 The petitioners apprehend their arrest in connection with

Complaint Case No. 618 of 2016 in which cognizance, under

Sections 323, 379, 384, 436 and 506 of the Indian Penal Code,

has been taken by the learned Magistrate.

Allegation against the petitioners is that on 30.04.2016,
while the complainant was working on his *Parti* land, all the
accused persons arrived there and abused him and upon
objection being raised, they assaulted the complainant with fist
and slaps and also demanded a sum of Rs. One lac as Rangadari.
It has further been alleged that petitioners and others have also



snatched a sum of Rs. 1200/- from the house of the complainant and set his house on fire.

Learned counsel appearing on behalf of the petitioners submits that petitioners have falsely been implicated in this case based upon a concocted story inasmuch as from perusal of the complaint itself, it would be evident that the occurrence has allegedly taken place on 30.04.2016 but the complaint has been lodged after delay of about 6 days on 06.05.2019. He further submits that there is case and counter case in between the parties and parties are co-villagers and no injury has been caused to anyone.

After having heard learned counsel for the parties and taking into consideration the fact that both parties are co-villagers and there is case and counter case in between them, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Gaya in connection with Complaint Case No. 618 of 2016 Tr. No. 1465 of 2018; subject to condition as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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