

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61911 of 2019

Arising Out of PS. Case No.-174 Year-2018 Thana- BAUSI District- Araria

1. LALITA DEVI W/o Sunil Ram Resident of Village - Bhawani Nagar, Ward No.06, P.S.- Bousi, Dist.- Araria.
2. Mithun Ram @ Mithun Kumar Son of Sunil Ram Resident of Village - Bhawani Nagar, Ward No.06, P.S.- Bousi, Dist.- Araria.
3. Shambhu Ram Son of Gareeb Ram Resident of Village - Dimhiyan, P.S.- Jalalgarh, Dist.- Purnea.
4. Sanjay Ram Son of Gareeb Ram Resident of Village - Dimhiyan, P.S.- Jalalgarh, Dist.- Purnea.
5. Ajay Ram Son of Gareeb Ram Resident of Village - Dimhiyan, P.S.- Jalalgarh, Dist.- Purnea.
6. Gareeb Ram @ Gharib Ram Son of Late Anandi Ram Resident of Village - Dimhiyan, P.S.- Jalalgarh, Dist.- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 16-10-2019 Heard learned counsels for the petitioners and
the State.

Petitioners apprehend arrest in connection
with Bousi P.S. Case No. 174 of 2018 registered for the
offence punishable under section 307 and other allied
sections of the Indian Penal Code.

Learned counsel appearing for the petitioners
submits that petitioners have been falsely implicated in this



case due to previous enmity. There is admitted land dispute between the parties. Nothing specific is alleged against these petitioners. Moreover, the present first information report has been lodged after six days of the alleged occurrence without there being any plausible explanation for the delay. Petitioners are men of clean antecedent.

Learned Addl. P.P. appearing for the State submits that there is direct allegation against petitioner no. 5, Ajay Ram of assaulting the informant, which is supported by the Injury Report contained in Annexure-2, and as such, he does not deserve to be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner nos. 1, 2, 3, 4 and 6, above named, in the event of arrest or surrender within a period of 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 Chief Judicial Magistrate, Araira in connection with Bounsi P.S. Case No. 174 of 2018 subject to the conditions laid down under section 438(2) Cr.P.C.



As regards petitioner no. 5, Ajay Ram, considering the nature of allegations levelled against him which is supported by the Injury Report, this Court does not feel inclined to grant him the privilege of anticipatory bail. His prayer for bail is, accordingly, rejected.

(Arvind Srivastava, J)

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