

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57974 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- MADHAURAH District- Saran

KAMAL RAI Son of Late Swarth Rai Resident of Village - Nanfar
Bahuarapatti, P.S.- Marhowrah, District- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Bhushan Prasad Sinha

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-09-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Marhowrah P.S. Case No. 74 of 2019 for the offence punishable under Sections 341, 323, 324, 307 and 506/34 of the Indian Penal Code.

It is evident from the First Information Report that there is land dispute between the informant's family and the persons named in the First Information Report. For the occurrence, said to have taken place on 28.01.2019, an First Information Report was already registered as Marhowrah P.S. Case No. 52 of 2019 at the instance of the petitioner. It is alleged in the First Information Report that the persons, named in the First Information Report, started abusing the informant and when objected to, they assaulted the informant, his mother and sister variously with *lathi*. Allegedly, the petitioner



assaulted the informant in his head with *daab*.

Considering the background, in which the occurrence is said to have taken place, and the submissions, which have been advanced on behalf of the petitioner, this application is allowed.

Let the petitioner above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Chapra, Saran, in Marhowrah P.S. Case No. 74 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 petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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