

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57990 of 2019

Arising Out of PS. Case No.-155 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Biresh Ram, aged about 35 years, Gender – Male, Son of Sipahi Ram
 2. Pawan Ram, aged about 18 years, Gender – Male, Son of Biresh Ram
 3. Heera Devi, aged about 32 years, Gender – Female, Wife of Biresh Ram, all resident of Village-Madhupur, Police Station-G.B. Nagar, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-11-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Learned counsel for the petitioners submits that the
petitioner no.1 has been arrested during the pendency of this
application, so he does not press this application as against
petitioner no.1.

Accordingly, the prayer for anticipatory bail to the
petitioner no.1 is dismissed as having become infructuous.

The petitioners apprehend their arrest in connection
with G.B. Nagar P.S. Case No. 155 of 2019 registered for the
offences punishable under Sections 147, 148, 149, 341, 342,



323, 324, 325, 307, 379, 427, 34 of the Indian Penal Code.

The prosecution case, in short, is that on 07.06.2019 at about 9:00 P.M., his pattidar started abusing when he protested,Depak Ram gave Daab blow upon his head and at the result of which he sustained laceration on his head and he got 13 stitches. It is further alleged that at the same time, Biresh Ram (petitioner) gave tangi blow upon the head of Lal Mohan Ram, Pawan Ram (petitioner), Sanjay Ram, Heera Devi (petitioner). Phool Kumari Devi also assaulted Lalita Devi. It is further alleged that Deepak and Biresh snatched a bag containing Rs.6,000/- from the possession of Lalita Devi.

Learned counsel for the petitioners submits that the co-accused, namely, Deepak Ram and Ful Kumari Devi have been granted anticipatory bail by a Co-ordinate Bench of this Court on 01.10.2019 passed in Cr. Misc. No.61239 of 2019. He further submits that there is no allegation against petitioner nos.2 and 3. There is general and omnibus allegation against petitioner nos.2 and 3.

In the facts and circumstances of the case, let the above named petitioner nos.2 and 3 be released on bail, in the event of arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with G.B. Nagar P.S. Case No. 155 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and also subject to the following further conditions :

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(ii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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