

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71676 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- DESARI District- Vaishali

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1. Ram Pravesh Ram Son of Late Ramchandra Ram Resident of Village - Murauwatpur, P.S.- Desari, District- Vaishali
 2. Ashok Ram Son of Late Dallu Ram Resident of Village - Murauwatpur, P.S.- Desari, District- Vaishali
 3. Raja Babu Ram @ Raja Babu Son of Prem Das Resident of Village - Murauwatpur, P.S.- Desari, District- Vaishali
 4. Shiv Nath Ram Son of Late Anandi Ram Resident of Village - Murauwatpur, P.S.- Desari, District- Vaishali Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Niranjan Parihar, Advocate

For the Opposite Parties : Mr.Binod Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-11-2019

Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for offence punishable under sections 307, 379/34 and other allied sections of the Indian Penal Code.

Learned counsel for the petitioners submits that there is allegation that petitioner no.1 caused fracture injury in the leg of informant's brother, whereas petitioner no.2 pulled hair of the lady victim and took out her golden chain. There is general and omnibus allegation against rest petitioners. Learned counsel further submits that on account of pending land dispute, parties are hostile to each other. He submits that the accused side lodged Desari Police Station Case No. 33 of 2019, thereafter the instant case has been field by the prosecution side for the same offence. Petitioners have got no criminal antecedent.

Prayer for bail of petitioner no.1 and 2 is rejected with direction to surrender and seek regular bail within a period of



six weeks from today, which would be disposed of on its own merit without prejudice.

Prayer for bail of petitioners no. 3 and 4 is allowed. Let these two petitioners, as mentioned above, be released on bail, in the event of their surrender within six weeks, on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in Desari Police Station Case No. 34 of 2019 on the following condition:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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