

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65201 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- ARA MUFFSIL District- Bhojpur

- 1.INDERDEO RAM @ TILAKDHARI RAM Son of Awadhesh Ram
2. Usha Devi Wife of Awadhesh Ram. Both resident of Village-Ram Nagar Tola, P.S.-Ara Muffasil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-10-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Ara Muffasil Police Station Case No.178 of 2019,
disclosing offences under Sections 147, 148, 341, 323, 304, 354,
307 and 379 of the Indian Penal Code.

The allegation against the petitioners as per First
Information Report is that petitioners along with other accused
persons assaulted the informant and his brother and petitioner
No.1, Inderdeo Ram @ Tilakdhari Ram assaulted the informant
by means of *lathi* on his head and petitioner No.2, Usha Devi
allegedly snatched away locket from the mother of the
informant.



Learned counsel for the petitioners submits that both parties are co-villagers and there is land dispute between them. Learned counsel further submits that earlier two cases were filed by the petitioners' father against the informant and others relating to assault on the side of the petitioners. Learned counsel further submits that there is case and counter case between the parties, inasmuch as Ara Muffasil Police Station Case No.181 of 2019 has been lodged by the side of the petitioners against the informant and others. Learned counsel relying upon Annexure- 2 and 3-A submits that both sides have received injuries on their person.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both parties are co-villagers and there is previous enmity between them relating to land and both the sides have received injuries, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, namely, Inderdeo Ram @ Tilakdhari Ram and Usha Devi, in the event of their arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Muffasil Police Station Case No.178 of 2019, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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