

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77205 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- MURAR District- Buxar

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1. Ram Bhaju Ram @ Bhaju Ram, Son of Late Shivmuni Ram.
 2. Akshay Ram, Son of Late Shivmuni Ram.
 3. Sanjay Kumar Ram @ Sanjay Ram, Son of Rambhaju Ram @ Bhaju Ram.
 4. Ajay Kumar, Son of Ram Bhaju Ram @ Bhaju Ram.
 5. Pradeep Pandey, Son of Shri Kishun Pandey,
All Resident of Village- Thori Pandeypur, P.S. Murar, District- Buxar.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Satyapal Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 341, 323, 325, 307 and 504 of the Indian Penal Code registered in connection with Murar P.S. Case No. 48 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute between the parties. There is case and counter case and both sides have received injuries. Except injury sustained by the informant on his head by reason of assault attributed to the petitioner no. 5, all other injuries are simple in nature. The petitioners claim clean antecedents.

4. Considering that the informant has sustained injury on his right hand by reason of assault attributed to petitioner no. 5, namely, Pradeep Pandey, this Court is not inclined to grant anticipatory bail to him. The anticipatory bail petition as against him, stands dismissed.



5. Be that as it may, as regards the remaining petitioners, Ram Bhaju Ram @ Bhaju Ram, Akshay Ram, Sanjay Kumar Ram @ Sanjay Ram and Ajay Kumar, in the event of their arrest or surrender before the court below within six weeks from the date of communication of this order, let them be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Murar P.S. Case No. 48 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions--

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) 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.

BT/Chandran

(Vikash Jain, J)

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