

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 71726 of 2019

Arising Out of PS. Case No.-162 Year-2019 Thana- MIRGANJ District- Gopalganj

1. RAJU KUMAR @ RAJU PRASAD Son of Jawahir Prasad Resident of Village- Matihani Nain, P.S.- Mirganj, District- Gopalganj.
2. Rajan Prasad @ Rajan Kumar Son of Jawahir Prasad Resident of Village- Matihani Nain, P.S.- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 19-12-2019 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in connection with Mirganj Police Station (for brevity, *PS*) Case No 162 of 2019 instituted for the offence under Section(s) 341, 323, 379, 325, 307, 448, 504, 506/34 of Indian Penal Code.

It is submitted that there are general and omnibus allegations of assault against all the accused persons including the instant petitioners. The informant and petitioners are agnates and the first information report itself reveals that the dispute is in relation to property between the parties. Other than a separate allegation of theft of Rs 20,000/- against petitioner



No 1 Raju Kumar @ Raju Prasad, there is no specific allegation against the petitioners. Even the allegation of theft is based on extraneous considerations so as to make the offence grave.

Considering the aforesaid submissions and the fact that the petitioner has no criminal antecedent, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the court below, within four (04) weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate XV, Gopalganj in Mirganj Police Station Case No 162 of 2019 subject to the conditions as laid down under Section 438(2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their



bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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