

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11539 of 2020

Arising Out of PS. Case No.-394 Year-2019 Thana- HARSIDHI District- East Champaran

1. BRIJESH RAM @ BRAJESH RAM Son of Late Gagandeo Ram Resident of Village - Badaharpur, P.S.- Harsidhi, Dist.- East Champaran.
2. Rajesh Ram Son of Late Gagandeo Ram Resident of Village - Badaharpur, P.S.- Harsidhi, Dist.- East Champaran.
3. Ramesh Ram Son of Late Gagandeo Ram Resident of Village - Badaharpur, P.S.- Harsidhi, Dist.- East Champaran.
4. Bachi Devi W/o Late Gagandeo Ram Resident of Village - Badaharpur, P.S.- Harsidhi, Dist.- East Champaran.
5. Chandrika Ram Son of Late Bhola Ram Resident of Village - Badaharpur, P.S.- Harsidhi, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Harsidhi P.S. Case No. 394 of 2019 for the offence under Sections 147, 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have got no criminal antecedent. Referring to the prosecution case, learned counsel for the petitioners submits that except petitioner nos. 1 and 2, there is no allegation of overt act



against petitioner nos. 3, 4 and 5.

Considering the fact that there is no allegation of overt act against petitioner nos. 3, 4 and 5, the petitioners nos. 3, 4 and 5 named above, in the event of arrest or surrender before the court below within one month from today, are directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 394 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as **petitioner nos.1 and 2, namely, Brijesh Ram @ Brajesh Ram and Rajesh Ram**, are concerned, the Court is not inclined to grant anticipatory bail to them. Accordingly, their prayer for grant of anticipatory bail is rejected. However, they may surrender before the court below within one month from today and pray for regular bail, which would be considered and disposed of on the same day without being prejudiced by the order of this Court.

(Anil Kumar Upadhyay, J)

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