

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27744 of 2020

Arising Out of PS. Case No.-250 Year-2018 Thana- HARSIDHI District- East Champaran

1. PRAMOD PRASAD
2. Manmod Prasad, Both are sons of Late Ram Nath Prasad
3. Raju Prasad
4. Raj Kumar Prasad, Both are sons of Nagendra Prasad

All Resident of Village - Yadopur, P.S. - Harsidhi, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anang Mohan Sinha, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 25-11-2020 The matter has been taken up through virtual Court
proceeding.

Learned counsel for the petitioners seeks permission
to make necessary correction in paragraph 1 and the prayer
portion of the bail petition which is formal in nature.

Permission is accorded.

Let the defects be removed within two weeks of the
start of the physical Court.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 341, 323,



324, 379 and 504/34 of the Indian Penal Code.

For land dispute, there is case and counter case. Specific allegation of commission of injury at the head of the informant is against petitioner no. 3 Raju Prasad.

Learned counsel for the petitioners submits that the Doctor has found simple injury and land dispute is reason behind the occurrence.

Since petitioner no. 3 Raju Prasad had knowledge that his act might cause death, I am not inclined to enlarge him on anticipatory bail. Hence, prayer of the petitioner no. 3 Raju Prasad for anticipatory bail is refused. He is directed to surrender within a period of two weeks and pray for regular bail.

Other petitioners are not bearing any specific allegation, hence, let the petitioner no. 1 Pramod Prasad, petitioner no. 2 Manmod Prasad and petitioner no. 4 Raj Kumar Prasad, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Harsidhi Police Station Case No. 250 of 2018,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner no. 1, 2 and 4 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner no. 1, 2 and 4.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner no. 1, 2 and 4 shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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