

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31303 of 2020

Arising Out of PS. Case No.-63 Year-2019 Thana- ANTI District- Gaya

1. Sanjay Kumar, Son of Ram Lakhan Sharma, R/o Village- Daurma, P.S.- Anti, District- Gaya.
2. Mritunjay Sharma @ Mirtunjay Kumar, Son of Ramlakhan Sharma, R/o Village- Daurma, P.S.- Anti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sevak Choudhary, Advertisement
For the Opposite Party/s : Smt. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-01-2021 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are apprehending their arrest in connection with Anti P.S. Case No.63 of 2019 registered for the offence punishable under Sections 341, 323, 504, 307, 506 and 34 of the Indian Penal Code.

The informant has alleged that due to subsisting land dispute, the petitioners, who are agnates, have assaulted the informant and his brother by means of sticks and rod.

Petitioners' counsel submits that the petitioners bear no criminal antecedents. The dispute, even as per the F.I.R., is on the basis of land dispute between the agnates and the



injuries which have been found are very simple in nature. The remaining three co-accused, namely, Amit Kumar, Sumit Kumar and Lakhan Sharma have been allowed the privilege of anticipatory bail by the court below itself.

Learned APP for the State has opposed the prayer for anticipatory bail.

Considering the rival submissions, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VII, Gaya, in connection with Anti P.S. Case No.63 of 2019, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors 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 bonds will be liable to be cancelled.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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