

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50118 of 2021

Arising Out of PS. Case No.-95 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

1. Dharamshila Devi Wife of Pradeep Ram Resident of Village - Oaina, P.S.- Kudra, District - Kaimur at Bhabua.
2. Bade Lal Ram Son of Pradeep Ram Resident of Village - Oaina, P.S.- Kudra, District - Kaimur at Bhabua.
3. Chhote Lal Ram Son of Pradeep Ram Resident of Village - Oaina, P.S.- Kudra, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

Petitioners apprehend their arrest in Kudra P.S. Case No.95 of 2021, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504 and 506 of the Indian Penal Code and Sections 25(1-b)a/26/27/35 of the Arms Act.

The petitioners along with other co-accused persons are said to have assaulted the informant and her sons.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that there is land dispute between the parties. No specific overt act is alleged against the petitioners. The only allegation is that the petitioners are the



members of the mob. It is further submitted that from perusal of the injury report (Annexure-2), it appears that the injuries are simple in nature. Charge sheet has been submitted against the petitioners. There is no allegation against the petitioners to tamper with the evidence. It is lastly submitted that petitioners no.1 and 2 have got two criminal antecedents whereas petitioner no.3 has got one criminal antecedent as stated in paragraph-3 of the bail application.

The learned APP for the State opposes the prayer for anticipatory bail of the petitioners.

Taking into consideration the fact that there is land dispute between the parties, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IVth, Kaimur at Bhabua in connection with Kudra P.S. Case No.95 of 2021, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Anjani Kumar Sharan, J.)

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