

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33987 of 2017

Arising Out of PS.Case No. -36 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

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1. Budhan Roy @ Budhan Rai
2. Arun Roy @ Arun Rai
3. Chanchal Roy @ Chanchal Rai.... Petitioner/s
Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioners and the State.

The petitioner apprehends arrest in Motipur P.S. Case No. 36 of 2015 instituted for the offence under Sections-379, 354B & other minor Sections of the Indian Penal Code.

It has been submitted on behalf of petitioners that the instant case has been lodged on account of land dispute. The victim was not examined by medical doctors. As per written report, there is general and omnibus allegation that petitioner No. 1 entered into house of the informant and assaulted her and also misbehaved with her, on account of which, she sustained bleeding and miscarriage took place to her but there is no medical report in support of such allegation made by the informant. It has further been submitted that the case has now been compromised between the parties before the court below.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his



arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Motipur P.S. Case No. 36 of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, West, Muzaffarpur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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