

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30728 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -KAKO District- JEHANABAD

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1. Rajeev Choudhary
2. Vivek Choudhary @ Vivekanand Choudhary
Both Sons of Fekan Choudhary, Resident of Village- Bhikhampur Barbatta,
P.S. Kako, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-08-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Kako P.S.
Case No. 82 of 2017 instituted for the offence under Sections 323,
341, 504, 307 and 379/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that
the instant case is counter Blast of Kako P.S. Case No. 91 of
2017 lodged by Munni Devi, mother of the petitioners in PMCH
Patna, in injured condition alleging assault by the father of the
informant and others.

In the written report there is general allegation against
the petitioner No. 1 that he assaulted Anita Devi with lathi but



there is no any injury found on the person of Anita Devi. The allegation against petitioner No. 2 is of assaulting son of the informant on teeth but there is no such injury found by the doctor in the case diary.

The Sessions Judge also in the impugned order did not mention about any injury on the person of the injured.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Kako P.S. Case No. 82 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jehanabad, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) 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.

S.Ali/-

(Sanjay Priya, J)

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