

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37722 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Pappu Thakur, Son of Gauri Thakur,
 2. Raju Thakur @ Raju Kumar @ Raju KuamrThakur, Son of Pappu Thakur, Both R/o Village- Chandrahiya, P.S.- Muffassil, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Rajballabh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 09-10-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Muffassil P.S. Case No. 04 of 2017 instituted for the offence under Sections 341, 342, 323, 324, 307, 427, 447, 379, 354(B), 387, 504, 506, 120(B) of the Indian Penal Code and Section 27 of the Arms Act..

It has been submitted that there is case and counter case between the parties. The wife of co-accused Jai Lal Thakur namely, Indu Devi, has filed Muffasil P.S. Case No. 09 of 2017 in which she sustained injury over her head along with her daughter Rekha Kumari.

In the instant case there is allegation that these petitioners along with other accused persons assaulted the informant and his family members.

From the written report itself it appears that there is land



dispute between the parties.

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 Muffassil P.S. Case No. 04 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 Chief Judicial Magistrate, Motihari, East Champaran, 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.

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(Sanjay Priya, J)

