

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31380 of 2017

Arising Out of PS.Case No. -93 Year- 2017 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Manoj Chaudhary, son of Amerika Chaudhary,
2. Subhash Chaudhary, son of Paras Chaudhary,
3. Anil Chaudhary, son of Suresh Chaudhay,
4. Wazir Chaudhary, son of Paras Chaudhary,
5. Videshi Chaudhary, son of Paras Chaudhary,
6. Mahavir Chaudhary, son of Umashankar Chaudhary,
7. Deeplal Chaudhary, son of Paras Chaudhary,
8. Sunaina Devi, W/o Umashankar Chaudhary,
9. Sona Devi, W/o Subhash Chaudhary,
10. Phuljhari Devi, W/o Suresh Chaudhary, all R/o Village- Bagahi
Lamuiyatola, P.S.- Bariya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 06-09-2017

Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in Bairiya P.S.
Case No.93 of 2017 instituted for the offence under Section(s)
147, 149, 323, 379, 436, 504 Indian Penal Code.

Counsel for the petitioners has submitted that
general and omnibus allegation has been levelled on account of
land dispute between the parties.

Case diary has been received. The police has
described the place of occurrence in para 6 of the case diary,
wherein, there is no mention that any burnt articles or any sign of



burn of the hut was found by the police at the place of occurrence.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Bairiya P.S. Case No.93 of 2017, they shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West 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.

(Sanjay Priya, J)

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