

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31007 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -RUDRAPUR District- MADHUBANI

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1. Shyam Sunder Chaudhary @ Shyam Sunder Daredar
 2. Sular Chand Daredar @ Dular Chandra Daredar @ Deo Narain Choudhary

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr. Chandra Bhushan Singh

For the Opposite Party : Mr. Sri Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 03-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Rudrapur P.S. Case No. 11 of 2017 instituted for the offence under Sections-307, 379, 354(B) & other minor sections of the Indian Penal Code.

It has been submitted on behalf of petitioners that the instant case has been filed by the informant on account of village politics. These petitioners have gone to save one Rekha Devi while she was being assaulted by other accused persons for which, Rekha Devi has filed Rudrapur P.S. Case No. 12 of 2007. In the instant case, there is general allegation against the petitioner No. 2 that he snatched the golden ear ring of the informant and also torn the blouse of the informant. The allegation of petitioner No. 1 is of assaulting Udai Kant Choudhary with farsa on his head.

The C.D. has been received wherein the doctor has found simple injury. On CT scan, it has been found normal and from the injury report, it appears that there was no repetition of blow.

Learned Counsel for opposite party No. 2 has appeared and



opposed the prayer. It has been submitted that prayer for anticipatory of co-accused has already been rejected by a coordinate bench of this court.

Taking into consideration the aforesaid facts and circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their 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 in Rudrapur P.S. Case No. 11 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-II. Jhanjharpur, Madhubani subject to condition as laid down u/S 438(2) of the 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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