

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33580 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Parveen Kumar Singh
2. Arvind Kumar Singh Both are Sons of Sri rambabu Singh R/o Ward no.9
Chakia, P.S.-Chakia, District-East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr.Advocate with
Mr. M.K.Singh, Advocate

For the Opposite Party/s : Mr. S. Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-07-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Chakia P.S.Case No. 99 of 2017 registered for the offences punishable under Sections 341, 323, 504, 427 and 353/34 of the Indian Penal Code.

Allegation as per FIR is that when authorities of Nagar Panchayat came to remove the encroachment, wife of petitioner No.1 and the petitioners had obstructed the work of removing encroachment and they have misbehaved with them.

It has been submitted on behalf of the petitioners that prior to removing encroachment no notice was given to them and FIR itself shows that thereafter notice was given and after notice the dispute was settled but in spite of that the present case has been filed and petitioners have no criminal antecedent.

Heard learned APP also.



Having heard both sides and in view of above facts and circumstances, let the petitioners, named above, surrender in the court below within four weeks from today and on their so surrendering, learned court below will release them on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran, Motihari, in connection with Chakia P.S. Case No. 99 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and petitioners shall co-operate in the investigation and make themselves available before the police as and when required and in the event of failure on their part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of their bail bonds and further petitioners will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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