

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54621 of 2017

Arising Out of PS.Case No. -134 Year- 2016 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sohan Das,
2. Manoj Das
3. Sanoj Das All Son of Shambhu Das,
4. Rajesh Das S/o Shambhu Das, All R/o Vill. - Bashghat, P.S.- Chakia,
Dist. E. Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Chakia P.S. Case No. 134 of 2016 instituted for the offence under Sections-323, 341, 308/34 of the Indian Penal Code.

It has been submitted that in the instant case, final form has been submitted. The police also gave benefit of Section-41(1) of the Cr.P.C. to the petitioners. Later on, the court below differed with the final form and took cognizance against the petitioners also including other accused persons u/S 308 of the Indian Penal Code.

In such 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 Chakia P.S. Case No. 134 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, East Champaran, Motihari 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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