

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54627 of 2017

Arising Out of PS.Case No. -74 Year- 2017 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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1. Sri Bhagwan Rai @ Bhagwan Yadav, Son of Late Raj Banshi Rai,
2. Sona Lal Rai Son of Late Raj Banshi Rai,
3. Panna Lal Rai @ Panna Lal Yadav, Son of Late Raj Banshi Rai,
4. Pappu Kumar Son of Sri Bhagwan Rai @ Bhagwan Yadav,
5. Munna Kumar Son of Sri Bhagwan Rai @ Bhagwan Yadav,
6. Lal Pari Devi @ Bachhchi Devi W/o Sri Bhagwan Rai @ Bhagwan Yadav, All R/o Village- Dharahai, P.S.- Chhauradano, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Sri Awadhesh Kumar 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 Chhauradano P.S. Case No. 74 of 2017 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

It has been submitted there has been dispute between the parties for Rasta. There is case and counter case between the parties. The injury has been sustained by both sides. The petitioner No. 5 Munna Kumar was brutally assaulted by the informant side for which, he lodged Chhauradano P.S. No. 75 of 2017 and thereafter, the instant case has been filed.

In the instant case, there is allegation against all these



petitioners that they assaulted the informant and others with different weapons.

The injury report of the injured has been enclosed as Annexure-2 series wherein the doctor has found injuries sustained by injured to be simple in nature.

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 Chhauradano P.S. Case No. 74 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at 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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