

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32768 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -SRI NAGAR District- MADHEPURA

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1. Niwas Kumar Jha @ Basuria, S/o Vijay Chandra Jha,
2. Vikash Kumar @ Vikash Kumar Jha @ Kanhaiya Jha, S/o Vimal Chandra Jha,
3. Vijay Chandra Jha, S/o Late Ramchandra Jha, All resident of Vill-Ramnagar Mahesh, P.S.- Sri Nagar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Srinagar P.S.

Case No. 60 of 2017 instituted for the offence under Sections-307,
& other minor sections of the Indian Penal Code.

It is alleged in the written report that petitioner Nos. 1 & 2 made demand of rangdari of Rs. 50,000/- in the medicine shop of the informant. The informant paid Rs. 25,000/- to Raman Kishore Choudhary and Arun Kumar. It is further alleged that on the date of occurrence, these petitioners came to his shop armed with iron rod and Lathi and made demand of rest Rs. 25,000/- from the informant. The informant raised protest, then petitioner No. 3 gave order to kill the informant and thereafter, petitioner



No. 1 assaulted with iron rod on the head of the informant which was saved by right hand and the informant sustained injury in his finger. Thereafter, petitioner No. 2 assaulted the informant with lathi.

The learned Sessions Judge has mentioned in the impugned order that the doctor has found one lacerated wound with swelling on middle finger of right hand of the informant and the injury was found grievous in nature.

It has been submitted that aforesaid petitioners are co-villagers and have their families in Ramnagar Bazar. The father of informant is Public prosecutor of civil court Madhepura. The informant is putting pressure on petitioners to hand over the shop at below the market price.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four 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 Srinagar P.S. Case No. 60 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Madhepura 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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