

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48271 of 2017

Arising Out of PS.Case No. -142 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Rakesh Kumar, son of late Bishwanath Bhagat,
2. Ram Ayodhya Prasad, son of Jai Narayan Bhagat,
3. Binda Prasad @ Bindalal Prasad, son of Kishuni Bhagat @ Jai Kishun Bhagat
4. Wakil Bhagat @ Wakil Prasad, son of late Jugul Bhagat
5. Kishuni Bhagat @ Jai Kishun Bhagat, son of late Saryug Bhagat
6. Jay Narayan Bhagat, son of Late Saryug Bhagat

All residents of village- Sawangiya, P.S.- Madhuban, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Madhuban P.S. Case No. 142 of 2017 instituted for the offence under Sections 147, 148, 149, 341, 323, 447, 448, 324, 307, 326, 379 and 504 of the Indian Penal Code.

It has been submitted that there is no specific allegation of overt act against the petitioners. There is allegation against co-accused Anil Prasad that he threw acid and chilli powder on the body of Sunil Prasad, on the order of Ashpuran and Lalbabu whereas co-accused Birendra Prasad assaulted Sunil Prasad with Farsa on his head.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Madhuban P.S. Case No. 142 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, East Champaran at Motihari, subject to the conditions as laid down under Section 438 (2) 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.

S.Ali/-

(Sanjay Priya, J)

U		T	
---	--	---	--

