

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41285 of 2017

Arising Out of PS.Case No. -167 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Birju Thakur son of Ram Prasad Thakur
 2. Ajay Prasad Alias Ajay Kumar son of Bhagat Prasad
 3. Vijay Prasad alias Vijay Kumar son of Bhagat Prasad
 4. Nathuni Bhagat son of Brahmdeo Bhagat
 5. Ranjeet Prasad Son of Nathuni Bhagat
 6. Kamlesh Kumar son of Achelal Bhagat
 7. Bhagat Prasad son of Late Chandardeo Bhagat All residents of Village - Talimpur, P.S. Madhuban, District - East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 10-10-2017 Heard learned counsel for the petitioners and the State.

The petitioner apprehend their arrest in Madhuban P.S.Case No. 167/2017, G.R.Case No. 3918/2017 instituted for the offence under sections 147, 148, 341, 323, 324, 325, 307, 379, 354, 448, 435, 504 and 506 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the occurrence has taken place on account of land dispute. In the written report the specific allegation is against Achhelal Bhagat of causing head injury to the informant with Tenguli. There is allegation against these petitioners of assaulting by iron rod, lathi etc. and wrapping Gamachha around the neck of the members of the prosecution party. The case diary alongwith injury report has been received wherein the injuries on the injured persons have



been found to be simple in nature.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, the 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, 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 the Addl. Chief Judicial Magistrate IX, East Champaran at Motihari in connection with Madhuban P.S.Case No. 167/2017, 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.

(Sanjay Priya, J)

Surendra/-

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