

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34069 of 2017

Arising Out of PS.Case No. -495 Year- 2016 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Madan Choudhary, son of Late Sarjug Choudhary,
2. Guddu Choudhary, son of Madan Choudhary, Both resident of Village-
Mangalpur, Police Station- Bagha (Patkhoul), District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Adv.

For the State : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bagaha (Patkhauli) P.S.
Case No. 495 of 2016 instituted for the offence under Sections-307, 385
& other minor Sections of the Indian Penal Code.

It has been submitted that there is counter case between the
parties for the same date of occurrence on the basis of written report of
co-accused Sukhram Choudhary bearing Piprasi P.S. Case No. 48 of
2016 against the informant and other family members. In the instant
case, there is allegation that when the informant was cutting sugarcane,
all the accused persons came and assaulted the informant and his family
members with Lathi, Danda etc. As such, there is general and omnibus
allegation against the petitioners.



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 Bagaha (Patkhauli) P.S. Case No. 495 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran 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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