

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37773 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -GURUA District- GAYA

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1. Ramdas Choudhary, Son of Late Mulchand Chaudhary
2. Premsheela Devi, W/o Rajbali Choudhary,
Both R/o Village- Chilor, P.S.- Gurua in the District of Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Binod Kumar 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-08-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Gurua P.S.
Case No. 44 of 2017 instituted for the offence under Sections 147,
149, 341, 323, 324, 302, 337, 338, 504 and 506 of the Indian
Penal Code.

It has been submitted that there is specific allegation
against co-accused Rajbali Choudhary of assaulting the father of
the informant with bricks on his head, on account of which, he
died.

Case diary has been received.

Post mortem report is available in paragraph-65 of the
case diary wherein the Doctor has found head injury on the person



of the deceased caused by hard and blunt substance. The doctor has kept several viscera preserved and reserved the opinion regarding cause of death till the report of Forensic Medicine & Toxicology.

As such, from the written report there is general and omnibus allegation against the petitioners

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 Gurua P.S. Case No. 44 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 Sri Gorakh Nath Dubey, learned Judicial Magistrate, 1st Class, Sherghati, Gaya, 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.

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(Sanjay Priya, J)

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