

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37006 of 2017

Arising Out of PS.Case No. -621 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Kunal Singh, aged about 32 years, s/o Arvind Kumar Singh, resident of C- 87, Chandralok Colony, Kapurthala, P.S.-Aliganj, District-Lucknow.
 2. Ritesh Kumar Singh, aged about 35 years, s/o Ashok Singh, resident of village- Mubarakpur, P.S.- Marhaura, District- Saran,
 3. Tunna Singh @ Vijayant Singh, aged about 46 years,
 4. Munna Singh @ Yashwant Singh, aged about 50 years, both sons of late Hriday Bhushan Singh, resident of Dugdha Coal Washry, P.S.- Dugdha, District- Bokaro (Jharkhand).
 5. Rajan Kumar @ Rajan Kumar Singh, aged about 30 years, son of Nagendra Kumar Singh, resident of village- Bansdih, P.S.- Bheldi, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nalini Gautam, wife of Kunal Singh, resident of Mohalla- Professor Colony, Dahiyawa, Chhapra, P.S.- Town, District- Chhapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mayank Sekhar, Advocate
Mr. Saket Tiwary, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 04-10-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in Motihari Town
P.S. Case No.621 of 2016 instituted for the offence under
Section(s) 341, 323, 354, 379, 504/34 Indian Penal Code.

It has been submitted on behalf of the petitioners
that petitioner No.1 had gone to surrender in the Court below in
compliance of the order dated 19.09.2016 passed in Cr. Misc.



No.10541 of 2016 by a co-ordinate Bench of this Court and the Opposite Party No.2 refused to accompany the petitioner. Opposite Party No.2 and other persons assaulted petitioner No.1 for which petitioner No.1 instituted Motihari Town P.S. Case No.620 of 2016 and he also sustained injuries. Injury Report of the Petitioner No.1 has been annexed as Annexure-7. In the instant case, Opposite Party No.2 has alleged that petitioner No.1 along with other accused persons (petitioner Nos.2 to 5) assaulted the Informant.

Case diary has been received. Learned APP has submitted that there is no Injury Report of the Informant available in the case dairy.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Motihari Town P.S. Case No.621 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the 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.

JA/-

(Sanjay Priya, J)

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