

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40037 of 2017

Arising Out of PS.Case No. -168 Year- 2017 Thana -DUMRAUN District- BUXAR

- =====
1. Santosh Choubey, son of Ram Prasad Choubey, resident of Khirauli, P.S.-Dumraon, District- Buxar,
 2. Sourabh Choubey @ Sourabh Gauttam, son of Santosh Choubey, resident of village-Khirauli, P.S.-Dumraon, District-Buxar,
 3. Pankaj Tiwari, son of Sri Baliram Tiwari @ Bal Ram Tiwari, resident of Koran Sarai, P.S.-Koran Sarai, District-Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

Ms. Kumari Priyanka, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 12-10-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Dumraon P.S.**

Case No.168 of 2017 instituted for the offence under Section(s)

307 and other allied sections of Indian Penal Code.

There is allegation against petitioner No.2 of assaulting the Informant on his head on account of which he sustained swelling on head. There is no specific allegation against Petitioner Nos.1 and 3.

Learned counsel for the Informant has appeared and opposed prayer for bail.

Case diary was called for, which has been received.

Learned APP has submitted that there is no injury report of the



Informant available in the case diary.

It has been submitted that co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 19.08.2017 passed in Cr. Misc. No.38324 of 2017.

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 **Dumraon P.S. Case No.168 of 2017**, 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 **Chief Judicial Magistrate, Buxar**, 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)

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