

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51683 of 2017**

Arising Out of PS.Case No. -175 Year- 2017 Thana -KESARIA District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Suresh Kumar, S/o Ram Ashray Kuer.  
2. Rahul Kumar @ Sumit Kumar, S/o Suresh Kumar, Both Resident of  
Village- Dilawarpur, Babu Tola, P.S.- Kesaria, District- East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Binod Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sakir Ahmad,

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      08-11-2017                      Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Kesaria P.S.

Case No. 175/2017 instituted for the offence under Sections 341,  
323, 325, 307, 379, 504, 506 and 427 of the Indian Penal Code.

Counsel for the petitioners submits that from the written  
report itself, it is apparent that case has been lodged on account of  
family dispute. The petitioners are uncle and cousin brother of the  
informant. In the written report it is alleged that on the date of  
occurrence both these petitioners were demolishing one room of  
the ancestral house of the informant and when the informant raised  
objection they assaulted her by catching her hair.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioners are allowed. In the event of surrender/arrest of the petitioners named above, within six weeks from today, in connection with Kesaria P.S. Case No. 175/2017, they shall be enlarged 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 learned Chief Judicial Magistrate, Motihari, East Champaran, subject to the conditions as laid down under Section 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)**

Vinita/-

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