

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38445 of 2017

Arising Out of PS.Case No. -247 Year- 2016 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Rameshwar Pandey, Son of Late Bachha Pandey,
2. Punam Devi, Wife of Rameshwar Pandey, Both resident of village-
Kudwa Mathitya, P.S.- Chanpatiya, Distirct- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2017 Heard the parties.

The petitioners are apprehending arrest in connection with Chnpatiya P.S.Case No.247 of 2016 registered for offences punishable under Sections 341, 323, 308/34 of the Indian Penal Code.

Allegation against the petitioner as per F.I.R. is that they have taken Rs.4,42,000/- from the informant. The petitioner no.1 has assaulted by 'rod' to his brother, which hit the informant and not to his brother. So far petitioner no.2 is concerned, there is also allegation against him of assault.

Submission of the learned counsel for the petitioners is that the injuries are simple in nature and the case is under Section 308 of the IPC and no specific allegation has been attributed against the petitioner no.2.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Sri R.K.Tiwari, A.C.J.M. Vth, Bettiah, West Champaran in connection with Chanpatiya P.S.Case No.247 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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