

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39766 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -NARHAT District- NAWADA

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1. Bundi Chauhan S/o Chhathu Chauhan,
2. Balgovind Chauhan, S/o Raja Ram Chauhan,
3. Soniya Devi, W/o Balgovind Chauhan, All R/o- Village- East Pandui,
P.S.- Sitamarhi, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 30-08-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Narhat (Sitamarhi) P.S.

Case No. 88 of 2017 instituted for the offence under Sections-325, 307
& other minor Sections of the Indian Penal Code.

It is alleged in the written report that petitioner No. 1 assaulted the informant with lathi on the head. It is further alleged that the petitioner No. 2 assaulted with Kudal, causing injury to the informant and her husband. The injury report is annexed as Annexure-2 to this petition, which shows that she has sustained one abrasion over left ankle and complain of headache. The injuries are found to be simple in nature.

It has been submitted that the injuries found on the person of the husband of the informant are simple in nature. The occurrence took place because there was an altercation between mother-in-law and



daughter-in-law of the informant.

From the order of learned Sessions Judge, it appears that injuries found on the person of the informant and her husband, are simple in nature.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Narhat (Sitamarhi) P.S. Case No. 88 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-III, Nawada subject to condition as laid down u/S 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)

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