

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40088 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Mukul Chandra Bhushan, s/o Chandra Bhushan Dhuroov
2. Amarendra Kumar Singh @ Amarendra Kumar Pappu, s/o Arvind Prasad Madhup
Both r/o Village Gurhenwa, P.S.Kundwa, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 31-08-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Kundwa Chainpur P.S. Case No. 94 of 2017 instituted for the offence under Sections 147, 148, 323, 307, 379, 354B, 385, 506 and 509 of the Indian Penal Code.

It has been submitted that informant was an aggressor and for the same date of occurrence, petitioner No. 1 has lodged First Information Report against the informant and others vide Chainpur P.S. Case No. 93 of 2017. Thereafter, as a counter blast, the instant case has been filed by the informant against the



petitioners.

In the written report it is alleged that these petitioners attempted to outrage the modesty of the wife of the informant. It is further alleged that petitioner No. 1 assaulted the informant with Dab. There is no any specific allegation of assault against petitioner No. 2.

The injury report is enclosed as Annexure-P/7 which shows that the informant sustained one lacerated wound 1/4" x 1/8" scalp deep over the front of head and left side which was found to be simple in nature caused by hard and blunt substance.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Kundwa Chainpur P.S. Case No. 94 of 2017, they shall be released 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 learned Sub Divisional Judicial Magistrate, Sikaarhana, East Champaran, 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.

S.Ali/-

(Sanjay Priya, J)

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