

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52346 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -SRINAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Poonam Devi, W/o Raju Mishra,
2. Shambhu Chaudhary, S/o Kolai Chaudhary,
3. Lalbabu Chaudhary, S/o Shambhu Chaudhary,
4. Ranjeet Chaudhary, S/o Shambhu Chaudhary,
All resident of Village- Jagdambapur, P.S.- Srinagar (Pujaha), Distt- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate.
For the informant : Mr. Bhagya Narayan Jha, Advocate.
For the State : Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-12-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and the State.

The petitioners apprehend their arrest in **Shrinagar Pujaha P.S. Case No. 101 of 2017** instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 447, 436, 379 and 504 of the Indian Penal Code.

The instant case has been lodged on the basis of the fardbeyan of the informant Sanjay Mishra alleging therein that on 8.7.2017 at 1600 hrs while he was sitting at the door of his house, the accused persons armed with deadly weapons came and surrounded him. Thereafter accused Lal Babu Choudhary gave a



blow on his head with iron-sabal whereas accused Ranjeet Choudhary gave a blow on his leg with iron-rami as a result of which he sustained injures. It is further alleged that accused Raju Mishra assaulted him over his head with butt of a country made Katta and when his wife came to rescue him, accused Raju Mishra assaulted her on her left hand with iron-rama and also took away her gold *Mangal Sutra* and *Bracelet*. It is alleged that the accused Raju Mishra instigated to set the house of the informant on fire upon which accused Poonam Devi and Lal Babu Choudhary set the phoosh house of the informant on fire.

It has been submitted that there is case and counter case between the parties. It has further been submitted that occurrence has taken place on 8.7.2017 and the First Information Report has been lodged on 14.7.2017 i.e. after 6 days of the occurrence.

Case diary has been received.

The injury report is available in paragraph-14 of the case diary wherein the doctor has found the injuries to be simple in nature.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioners.

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 **Shrinagar Pujaha P.S. Case No. 101 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 **Chief Judicial Magistrate, Bettiah, West 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.

(Sanjay Priya, J)

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