

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52393 of 2017

Arising Out of PS.Case No. -183 Year- 2017 Thana -CHARPOKHARI District- BHOJPUR

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1. Uttam Chaudhari,
2. Sanjay Chaudhari @ Sanjay Kumar Both are Son of Govind Chaudhari,
R/o Son of Govind Chaudhari, R/o Village- Khaira, P.S.- Sahar, District-
Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Charpokhari
P.S. Case No. 183/2017 instituted for the offences under Sections
341, 323, 376 and 511 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
petitioner no. 1 and the victim girl/ informant had performed
marriage on 13.08.2016 in Arya Samaj Temple, Sultanpuri, H.
Block, New Delhi without consent of the parents. Petitioner no. 1
had gone to the house of the victim to talk with her on 17.08.2017
and on that day he was assaulted by the brother of the victim girl and
his friends, for which petitioner no. 1 filed Charpokhari P.S. Case
No. 180/2017 on 17.08.2017. Thereafter, as a counter blast the
instant case has been filed on 18.08.2017. Further it has been



submitted that the written report is not in the hand writing of the victim, rather it has been written in the hand writing of some other person.

Considering the facts and circumstances of the case, the 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 Charpokhari P.S. Case No. 183/2017, 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 the learned Additional Chief Judicial Magistrate IV, Bhojpur at Ara, 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.)

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