

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54449 of 2017

Arising Out of PS.Case No. -143 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Kanhaiya Lal Chaturvedi,
2. Ajay Kumar Choubey @ Ajay Choubey.
3. Arvind Choubey.
4. Krishna Mohan Choubey.
5. Shashi Bala, W/o Kanhaiya Lal Chaturvedi.
6. Asha Choubey, W/o Ajay Choubey @ Ajay Kumar Choubey
7. Seema W/o Arvind Choubey,
8. Monorma Devi, W/o Krishna Mohan Choubey

All R/o Vill Nanosati P.S. Majhuwaliya, Dist. West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 18-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Motihari Town P.S.
Case No. 143 of 2017 instituted for the offence under Sections-379, 427
& other minor Sections of the Indian Penal Code.

It has been submitted that except petitioner No. 1, other
petitioners are not named in the FIR. The instant case is counter blast of
Motihari Town P.S. Case No. 142 of 2017 which has been filed by
petitioner No. 2 against the informant and staff of the hospital for
making illegal demand of money and assaulting for non-payment of the
money.

As such, there is general and omnibus allegation against the



petitioners.

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 Motihari Town P.S. Case No. 143 of 2017 to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari 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) petitioner 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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