

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57655 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -BAJPATTI District- SITAMARHI

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1. Manju Devi @ Madhu Devi, wife of Umakant Prasad
2. Shikha Kumari @ Shikha, daughter of Umakant Prasad
3. Shital @ Shital Kumari, daughter of Umakant Prasad
4. Sandip Kumar, son of Umakant Prasad

All resident of Village- Madhuwan Bazar, P.S.- Bajpatti, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Bajpatti P.S.**

Case No. 82 of 2017 instituted for the offence under Sections 341, 323, 354, 379 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that informant is aunt of petitioner Nos. 3 and 4. There is general and omnibus allegation against petitioner Nos. 1, 2 and 3 whereas the allegation against petitioner No. 4 is that he assaulted the informant with *lathi* but there is no injury on the person of the informant. The occurrence took place with regard to common tubewell.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.



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 **Bajpatti P.S. Case No. 82 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, Sitamarhi**, 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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