

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55433 of 2017

Arising Out of PS.Case No. -51 Year- 2017 Thana -BHIMPUR District- SUPAUL

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1. Chandeshwar Sahani, S/o Late Manohar Sahni,
2. Shambhu Sahani @ Shambhu Kumar Sahani,
3. Prabhu Sahani, Both S/o Chandeshwar Sahani, All residents of Village-
Jiwachhpur/Belaganj District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bhimpur P.S. Case No. 51 of 2017 instituted for the offence under Section-379 & other minor Sections of the Indian Penal Code.

It has been submitted on behalf of the petitioners that petitioners have clean antecedent. It has further been submitted that wife of the informant was elected as Mukhiya and due to such rivalry, the instant case has been filed. The wife of the informant and wife of petitioner No. 2 were candidates against each other for the post of Mukhiya and wife of the informant was elected as Mukhiya for which, petitioner No. 2 has lodged complaint against the manner of election before the different forums.

From the written report, it appears that there is general and



omnibus allegation against the petitioners that they demanded Rs. 1,00,000/- from the informant as extortion and the informant showed inability, then all these petitioners gave threat to the informant.

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 Bhimpur P.S. Case No. 51 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Supaul 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) 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)

A.K.V./-

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