

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6271 of 2017

Arising Out of PS.Case No. -208 Year- 2016 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Dhananjay Prasad son of Daroga Prasad Resident of Village - Dumra,
P.S. - Chanpatia, District - West Champaran.
2. Shambhu Prasad son of Late Sukhal Sah
3. Sunil Prasad alias Sunil Kumar S/o Shambhu Prasad Both residents of
Village - Amaithiya, P.S. Jogapatti, District - West Champaran.
4. Shailya Devi wife of Bijay Prasad @ Radhe Shyam Prasad Resident of
Village - Barwa, Jamadar Tola, P.S. - Chautarwa, District - West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-02-2017 The petitioners are apprehending their arrest in

connection with Chautarwa P.S. Case No. 208 of 2016, registered

for offences punishable under Sections 147, 148, 149, 341, 323,

324, 380, 307 and 504 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that so

far petitioner no. 1 and 3 are concerned, no specific allegation of

overt act has been levelled against them and as regard petitioner

no. 2 and 4, it is alleged that petitioner no. 2 assaulted the

informant's son on his right hand, however the injury caused from

the said assault was found to be simple in nature and petitioner no.



4 assaulted informant's wife by fists and slaps. It has further been submitted that the petitioners are neighbor of informant and there is case and counter case between the parties. None of the petitioners have any criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that petitioners have no criminal antecedents and only general and omnibus allegations have been levelled against them, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, Bagaha, District –West Champaran, in connection with Chautarwa P.S. Case No. 208 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.



- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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