

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18469 of 2017

Arising Out of PS.Case No. -11 Year- 2016 Thana -ANDHRAMATH District- MADHUBANI

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1. Neti Lal Chaupal @ Netilal Chaupal S/o Late Dukha Chaupal @ Late Dukhai Chaupal.

2. Binod Chaupal, S/o Neti Lal Chaupal @ Netilal Chaupal, Both are Resident of Village- Gadhiya, P.S.- Andhramath, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-05-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Andharamath P.S. Case No. 11 of 2016 instituted for the offence under Section- 307 & other minor sections of the Indian Penal Code.

It has been submitted on behalf of petitioners that there is case and counter case between the parties. The counter case has been filed by petitioner No. 1 against the informant and his other family members. It is alleged in the written report that petitioner No. 1 assaulted the mother of the informant with Kulhari and petitioner No. 2 assaulted the brother of the informant with Farsa. The injury report of both the injured is annexed as Annexure-3 series wherein the doctor has found the injuries to be simple in nature. From the injury report, it appears that there is no repetition



of blow. From the written report itself, it appears that there is land dispute between the parties.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four 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 Andharamath P.S. Case No. 11 of 2016 to the satisfaction of Sri S. K. Ray, learned Judicial Magistrate-Ist Class, Jhanjharpur, Madhubani 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)

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