

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40212 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Mukesh Sahani S/o Babulal Sahni,
2. Tinku Sah S/o Baldeo Sah,
3. Baldeo Sah S/o Late Vipat Sah,
4. Rakesh Sahani S/o Babulal Sahni,
5. Ramparvesh Sah S/o Ramdeo Sah,
6. Ramdeo Sah S/o Late Vipat Sah,
7. Budhan Sah S/o Late Asharfi Sah,
8. Pappu Sah S/o Budhan Sah, All Resident of Village- Mahmadda
Chaubey Tola, P.S.- Mehshi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Mehshi P.S. Case No. 88 of 2017 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

It is alleged in the written report that on the date of occurrence, all these petitioners with Nand Kishore Sah arrived armed with fire-arm Farsa, Lathi, Sword etc and destroyed nad, khunta and hut of the informant. It has further been submitted that Nand Kishore Sah assaulted the informant with Farsa with intention to kill him causing injury on his head.



Counsel for petitioners has submitted that there is case and counter case between the parties. The petitioner No. 3 has lodged Mehasi P.S. Case No. 89 of 2017 against the informant and others. 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 Mehasi P.S. Case No. 88 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Motihari, East Champaran 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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