

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47264 of 2017

Arising Out of PS.Case No. -104 Year- 2017 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Ramji Yadav,
 2. Dina Yadav,
 3. Ravindra Yadav
- All Sons of Gorakh Yadav,
4. Galu Yadav, Son of Ramji Yadav,
- All R/o Village- Jamuniya, P.S.- Bathwariya, District- West Champaran.
5. Raj Kishore Yadav, Son of Janak Yadav, R/o Village- Chandral, P.S.-
Nawalpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin, Advocate.
For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioners and the

State.

It has been submitted that petitioner No. 1 has already
been arrested. Therefore, his petition for anticipatory bail has
become infructuous.

The application against petitioner No. 1 is dismissed
as having become infructuous.

The petitioner Nos. 2, 3, 4 and 5 apprehend their
arrest in Chautarwa (Bathwariya) P.S. Case No. 104 of 2017
instituted for the offence under Sections 341, 323, 307, 504 and



506/34 of the Indian Penal Code.

There is allegation against petitioner No. 2 that he assaulted the informant with iron rod causing injury on his back and accused Ramji Yadav assaulted the informant with Bamboo on his hand. There is general and omnibus allegation against petitioner Nos. 3, 4 and 5.

The injury report of the informant has been enclosed as Annexure-3 wherein the Doctor has found simple injury on his person.

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 Chautarwa (Bathwariya) P.S. Case No. 104 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 Additional Chief Judicial Magistrate, Bagaha, West Champaran, 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.

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(Sanjay Priya, J)

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