

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50936 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Poonam Kumari
 2. Fuleshari Devi
 3. Kanti Devi
 4. Chandani Devi
 5. Mahanth Das
 6. Bhairo Das
 7. Vijay Das
 8. Uday Das
 9. Upendra Das @ Upendra Kumar
 10. Ajay Das @ Ajay Kumar Das &
 11. Ram Vinay Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Piprakothi P.S. Case No. 61 of 2017 instituted for the offence under Sections-307, 354B & other minor Sections of the Indian Penal Code.

It has been submitted that prior to filing of the instant case, petitioner No. 5 has filed SC/ST P.S. Case No. 29 of 2017 against the informant and other family members. The instant case has been filed on 17-03-2017 for the occurrence alleged to have taken place on 25-02-2017 which is counter blast of the case filed by petitioner No. 5. In the instant case, it is alleged that petitioner No. 5 assaulted the son of the informant on his head with farsa. Besides such, there is no specific



allegation of overt act against other accused petitioners.

In the order of learned Sessions Judge, it appears that no injury was caused to anyone.

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 Piprakothi P.S. Case No. 61 of 2017 to the satisfaction of learned Chief Judicial Magistrate, 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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