

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23112 of 2017

Arising Out of PS.Case No. -37 Year- 2015 Thana -PIPRIYA SAHAYAK District- LAKHISARAI
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1. Nepali Singh, S/o Late Ramjee Singh
 2. Narayan Singh, S/o Nepali Singh
 3. Krishnandan Singh @ Magru Singh, S/o Nepali Singh
 4. Kanhaiya Singh, S/o Nepali Singh
- All Resident of Village- Mohanpur, P.S.- Pipariya, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate.
For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-05-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Pipariya P.S.
Case No. 37 of 2015 instituted for the offence under Sections 147, 148,
341, 323, 370, 307 and 504 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that prior to filing of the complaint petition, a Fardbeyan was lodged by the informant on 23.12.2014 alleging therein that these petitioners assaulted the informant with fists and slaps and snatched Rs.500/- from his pocket. The informant has filed instant Complaint Case in the court below on 7.4.2015 giving totally different story alleging that the petitioners armed with Kulhari, pistol etc. assaulted the informant. Thereafter on the basis of aforesaid complaint, the instant case was registered in which the investigation is still pending.



In view of two different versions given by the informant in the earlier *Fardbeyan* and in the instant complaint petition and there is no any specific overt act alleged against the petitioners, 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 Pipariya P.S. Case No. 37 of 2015, 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 Sri Raghubansh Narayan, Judicial Magistrate, 1st Class, Lakhisarai, 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.

S.Ali/-

(Sanjay Priya, J)

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