

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34545 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -MADANPURA District- AURANGABAD

- =====
1. Kameshwar Bhuyian, son of late Yoga Bhuyian
 2. Sanju Devi, wife of Kameshwar Bhuyian
 3. Sikandar Kumar @ Sikandar Bhuyian, son of Kameshwar Bhuyian
 4. Dharmendra Kumar @ Dharmendra Bhuiyan, son of Kameshwar Bhuiyan
 5. Sheopujan Bhuyian, son of Kameshwar Bhuyian
 6. Jitendra Bhuyian, son of Kameshwar Bhuyian
 7. Sunil Bhuyian @ Sanoj Bhuyian @ Sunoj Bhuiyan, son of Karu Bhuyian
 8. Bharat Bhuyian, son of Rajendra Bhuyian
 9. Ramashish Bhuyian, son of Rajendra Bhuyian
 10. Sunil Bhuyian, son of late Pardeshi Bhuyian
 11. Ravindra Bhuyian, son of Binod Bhuyian
 12. Manoj Bhuyian, son of late Balkishun Bhuyian
 13. Malti Kuer, wife of late Balkishun Bhuyian
- All resident of village Siraudha, P.S. Madanpur, Distt. Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Madanpur P.S. Case No. 54 of 2017 instituted for the offence under Sections 307, 325, 324, 323, 341, 504, 506, 147 and 148 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that there is case and counter case. The petitioner No. 1 has filed



Madanpur P.S. Case No. 55 of 2017 on the same date of occurrence against the prosecution party in which three persons including petitioner Nos. 1 and 2 received injury due to assault by the prosecution party. The petitioner No. 1 has got fracture injury.

In the instant case it is alleged that all the petitioners assaulted the son of the informant and altercation took place between son of the informant and accused persons and, thereafter, accused persons arrived armed with deadly weapons and caused injury to Lalu Yadav and Sonu Yadav. The injury sustained by the petitioners' side has been annexed as Annexure-4 series. As such, the injury has been sustained by both sides.

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 Madanpur P.S. Case No. 54 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 Chief Judicial Magistrate, Aurangabad, 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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