

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40306 of 2017

Arising Out of PS.Case No. -109 Year- 2016 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bija Rai , son of Jamun Rai,
 2. Bhikhari Rai, son of Bija Rai,
 3. Chhotelal Rai, son of Bija Rai,
 4. Jailal Rai, son of Jhapas Rai, all R/o Village- Kharki Kuawa, P.S.-
Chakia, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 01-11-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Chakia P.S.**

Case No.109 of 2016 instituted for the offence under Section(s)

341, 323, 308, 325/34 Indian Penal Code.

Counsel for the Petitioners has submitted that
Petitioner No.1 is father, Petitioner Nos.2 and 3 are sons of
Petitioner No.1. Petitioner No.4 is neighbour.

There is allegation that these petitioners assaulted
the Informant with bamboo, fists and slaps. Case has been
registered under Sections 325 and 308 Indian Penal Code.

The Sessions Judge has mentioned in the impugned



order that from the Injury Report of Bhola Rai, it appears that he has sustained fracture of 9th and 10th rib of right side, which is grievous in nature, caused by hard and blunt object.

From the written report, it does not appear who is author of aforesaid injury.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Chakia P.S. Case No.109 of 2016**, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, East Champaran, Motihari**, 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.

(Sanjay Priya, J)

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