

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59998 of 2017

Arising Out of PS.Case No. -274 Year- 2017 Thana -DAUDNAGAR District- AURANGABAD

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1. Brijkishore Tiwary @ Braj Kishore Tiwary, son of late Krishna Tiwary,
 2. Baban Tiwary, son of late Bal Kishore Tiwary,
 3. Bahadur Tiwary, son of Shri Kaushal Tiwary,
 4. Kundan Tiwary, son of Brij Kishore Tiwary @ Braj Kishore Tiwary,
 5. Nandu Tiwary, son of Shri Kaushal Tiwary,
 6. Bhuitali Tiwary @ Buitali Tiary, son of Baban Tiwary, all resident of village-Bhakharua, Tiwary Mohalla, P.S.-Daudnagar, District-Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 12-12-2017

Learned counsel for the petitioners seeks permission

to make necessary correction in the prayer portion with regard to place of Court below.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in **Daudnagar P.S. Case No.274 of 2017** instituted for the offence under Section(s) 307 and other allied Sections of Indian Penal Code.

Counsel for the petitioner has submitted that there is general and omnibus allegation against these petitioners in the written report.



In the written report, the informant has alleged that when police party arrested one Chandan Tiwary, a wanted accused, all these petitioners abused the police party and also attacked the police party. Parents of accused Chandan Tiwary got him set free. These petitioners are named in the First Information Report as member of that assembly.

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 **Daudnagar P.S. Case No.274 of 2017**, 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 **Sub-Divisional Judicial Magistrate, Daudnagar in the District of 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.

JA/-

(Sanjay Priya, J)

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