

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41279 of 2018

Arising Out of P.S.C.ase No. -233 Year- 2018 Thana -NAWADA District- NAWADA

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1. Binay Chauhan, S/o Late Ramawatar Chauhan,
2. Ajay Chauhan S/o Late Ramawatar Chauhan, Both are R/o Vill.- Budhaul
Beldari, P.S.- Nawada in the District of Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-07-2018

Heard learned counsel for the petitioners as well as the
State.

The petitioners apprehend their arrest in Nawada Town
P.S. Case No. 233/2018, instituted for the offences under Sections
447, 341, 323, 307, 379 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
there is case and counter case between the parties. The counter case
has been filed by the mother of the petitioner against the informant
and others vide Nawada Town P.S. Case No. 232/2018. In the instant
case, allegation against petitioner no. 1 is of assaulting the informant
with *Garasa* on his head. Petitioner no. 2 is alleged to have assaulted
the brother of the informant. The injury report of both the injured has
been enclosed as Annexure-3, from which it appears that the injuries



sustained by the injured are simple in nature.

Considering the facts and circumstances of the case, the 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 Nawada Town P.S. Case No. 233/2018, they shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada, subject to the conditions as laid down under Section 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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