

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47268 of 2018

Arising Out of PS.Case No. -423 Year- 2018 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Chandan Singh , Son of Late Nandu Singh @ Late Gyanandu Singh.
2. Jokhu Singh @ Jai Shankar Singh, Son of Chhaibar Singh.
3. Tappu Singh @ Chote Lal Singh, Son of Maya Singh.
4. Mintu Kharwar @ Mantu Kharwar, Son of Madan Kharwar.
5. Jai Prakash Sha @ Jai Prakash Sah, Son of Late Gopi Sah.
6. Chhangur Kharwar @ Sandeep Kharwar, Son of Ram Tahal Kharwar.

All are resident of Village- Sonhan, P.S.- Sonhan, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Advocate.

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-08-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Bhabua (Sonhan) P.S. Case No. 423 of 2018** instituted for the offence under Sections 147, 149, 323, 504, 307 and 353/34 of the Indian Penal Code.

Counsel for the petitioners submits that in the written report there is specific allegation against owner of the Tractor namely, Khun Khun Patel, of forcibly removing the tractor from trolley and escape. Petitioners are alleged to have accompanied owner of the tractor. Counsel for the petitioners further submits that co-accused Birendra Sah with similar allegation has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated



27.08.2018 passed in Cr. Misc. 49037 of 2018.

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 **Bhabua (Sonhan) P.S. Case No. 423 of 2018**, 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, Kaimur (Bhabua)**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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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