

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24082 of 2018

Arising Out of PS.Case No. -463 Year- 2017 Thana -BARAUNI District- BEGUSARAI

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1. Chhotan Nishad, son of Bhuna Nishad.
 2. Sanjay Nishad, son of Chhotan Nishad.
 3. Bambam Nishad, son of Chhotan Nishad.
 4. Dilip Nishad, son of Sushil Nishad.
 5. Shushil Nishad, son of Bhuna Nishad.
 6. Pavitri Devi, wife of Chhotan Nishad. All residents of Village- Simariya Ghat Bind Toli, P.S.- Chakiya, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-05-2018 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

At the very outset, learned counsel for the petitioners has submitted that petitioner has been taken into custody and as such this application with regard to petitioner no. 5 has become infructuous and he may be permitted to withdraw this application with regard to petitioner no. 5.

Permission is accorded.

Accordingly, this application with regard to petitioner no. 5 is dismissed as withdrawn.

So far other petitioners are concerned, they are



apprehending their arrest in connection with Barauni Police Station Case No. 463 of 2017, disclosing offences under Sections 147, 341, 323, 308 and 504 of the Indian Penal Code.

Allegation against the petitioners is of assault to the informant and his other family members.

Learned Counsel for the petitioner has submitted that there is case and counter case between the parties and they have falsely been implicated in this case and though there is allegation of assault to informant and other family members of the informant, however, the injuries are found to be simple in nature.

Having heard both sides, considering the facts and circumstances of the case, let the petitioners nos. 1 to 4 and 6, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Barauni Police Station Case No. 463 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure., it is further subject to the condition that:-

I. One of the bailors of the petitioners



shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.

II. The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event on failure of their part to appear before the police on two consecutive dates, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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