

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8334 of 2018

Arising Out of PS. Case No.-98 Year-2017 Thana- MADHEPUR District- Madhubani

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1. Rajesh Kumar Choudhary, Son of Late Bipin Bihari Chaudhary,
 2. Mukesh Kumar Chaudhary, Son of Late Birendra Prasad Chaudhary,
 3. Shankar Kumar Chaudhary, Son of Ashok Kumar Chaudhary,
 4. Nandan Kumar Chaudhary, Son of Binod Kumar Choudhary, All are residents of Village- Kursu, P.S.- Madhepur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. D.K.Sinha, Sr. Advocate, Mr. Girish Chandra Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 02-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Madhepur P.S. Case No. 98 of 2017, G.R. No. 1560 of 2017 instituted for the offence under Sections 341,323,307,379,506/34 of the IPC.

It has been submitted by the learned counsel for the petitioners that it is a case of land dispute. There was free fight between the parties for cutting Jamun tree on the land of petitioner no. 1. Petitioner no. 1 has also sustained injury which is enclosed as Annexure-3 to the supplementary affidavit. Petitioner no. 1 has lodged counter case for the aforesaid occurrence vide Madhepur P.S. Case No. 99 of 2017, which is enclosed as Annexure-2 to this petition.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Madhepur P.S. Case No. 98 of 2017, G.R. No. 1560 of 2017 to the satisfaction of the learned 2nd Additional Chief Judicial Magistrate, Jhanjharpur, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers 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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