

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28444 of 2018

Arising Out of PS. Case No.-334 Year-2015 Thana- BETTIAH CITY District- West
Champaran

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1. Badal Chaudhary @ Badal Sahani, Son of Bhikhari Sahani, Resident of Village - Baswariya, P.S. Bettiah Town, District West Champaran.
 2. Binod @ Binod Prasad Son of Rajaram Mahto resident of Village Noniyatol, P.S. Bettiah Town, District West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-05-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend arrest in Bettiah Town
(Kali Bagh O.P.) P.S. Case No. 334 of 2015 instituted for the
offence under Sections 387,447,504,506 of the IPC.

Counsel for the petitioners submits that one of the
similarly situated co-accused has already been granted
anticipatory bail by coordinate Bench of this Court vide order
dated 06.04.2018 passed in Cr. Misc. No. 13530 of 2018.

It has been further submitted that petitioners are not
named in the FIR. All the Sections areailable except Section
387 of the IPC, which is not attracted in the present case.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of his 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 Bettiah Town (Kali Bagh O.P.) P.S. Case No. 334 of 2015 to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah, subject to condition as laid down u/S 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 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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