

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36245 of 2018

Arising Out of PS.C.ase No. -97 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Chandan Chaudhary @ Chandan Chaudhari, S/o Kedar Chaudhary,
 2. Jitendra Kumar, S/o Late Stayadeo Prasad,
 3. Shambhoo Chaudhari, S/o Late Janardhan Chaudhary, All three R/o Village- Mohanganj, P.S.- Barun, District- Aurangabad.
 4. Jitender Kumar @ Barka, S/o Late Suresh Chaudhary, R/o Barun Bazar, P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-07-2018 Heard learned counsel for the petitioners as well as the State.

The petitioners apprehend their arrest in Barun P.S. Case No. 97/2018, instituted for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 332, 333, 353, 395, 436, 504 and 120B of the Indian Penal Code read with Sections 3 and 4 of Prevention of Damage of Public Property Act, 1984.

Learned counsel for the petitioners has submitted that one Gautam Kumar was run down by a vehicle on account of which violent clashes took place between the local residents and the police. The petitioners are named in the F.I.R. but there is general and omnibus allegation against them. The petitioners were



not present on the spot. Other co-accused, namely, Ajay Kumar @ Siaidi, has already been granted anticipatory bail by this Court in Cr. Misc. No. 38183/2018 dated 03.07.2018.

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 Barun P.S. Case No. 97/2018, 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 the learned Chief Judicial Magistrate, Aurangabad, 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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