

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57355 of 2017

Arising Out of PS.Case No. -158 Year- 2017 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Rajendra Rai, son of late Ramashish Rai,
 2. Rikhdeo Rai, son of Rajendra Rai,
 3. Maha Narayan Rai, son of Rajendra Rai,
 4. Ajay Rai, son of Madho Rai,
 5. Bhabhikhan Rai, son of Baburam Rai, all are resident of village- Barwa
Purvi, P.S.-Lakhaura, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 08-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Muffasil**
(Lakhaura) P.S. Case No.158 of 2017 instituted for the offence
under Section(s) 307 and other allied Sections of Indian Penal
Code and Section 27 of the Arms Act.

Counsel for the petitioner has submitted that, as a
matter of fact, petitioner no.1 was going to plant *Shagwan* stump
under the licence of social scheme over the land, then the
informant of the present case along with others came and abused
petitioner no.1 and also assaulted him on account of which he
sustained injury for which petitioner no.1 has filed Mufassil



(Lakhanura) P.S. Case No.169 of 2017 against the informant of this case and others.

In the instant case, allegation against petitioner no.1 is that he assaulted the informant with *farsa* on the head and petitioner no.2 assaulted him with *Nalkatua* on the head. There is no specific allegation against petitioner nos.3, 4 and 5.

Case diary has been received in which injury report is available. The doctor has found only one injury on the person of the injured over left side of head, which was simple in nature caused by hard and blunt object.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Muffasil (Lakhaura) P.S. Case No.158 of 2017**, 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 **Chief Judicial Magistrate, East Champaran, Motihari**, 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 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.

JA/-

(Sanjay Priya, J)

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