

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8809 of 2018

Arising Out of PS. Case No.-1826 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Binod Yadav, son of Gandhi Rai @ Ashok Rai,
 2. Lalita Devi, wife of Binod Yadav,
 3. Sudhir Kumar, son of Binod Yadav, All are resident of Village-
Khaprailchak, P.S. Parsa Bazar, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi, wife of Briju Prasad, resident of Village- Khaprailchak, Post
Office & P.S. Parsa Bazar, District Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh
For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 26-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in complaint case no.
1826 (C) of 2017 instituted for the offence under Section(s)
323, 504, 354 and 386 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
petitioner no.1 is Bhaisur of the complainant . There is family
dispute between the parties.

It s alleged in the complaint petition that petitioner no.1 has
obtained power of attorney from his mother, namely, Chinta
Devi and ousted the complainant from his house. Learned
counsel for the petitioners further submitted that mother of the



petitioner no.1, namely, Chinta Devi has earlier filed a complaint vide complaint case no. 127 –C of 2017 in which petitioner nos. 1 and 2 have been granted anticipatory bail by this court vide order dated 10.8.17 passed in Cr. Misc. no. 36801 of 2017. Petitioner nos. 2 and 3 are wife and son of petitioner no.1.

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 complaint case no. 1826 (c) 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 learned Sub Judge-IX-cum- ACJM, Patna 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.

(Sanjay Priya, J)

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