

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23167 of 2018

Arising Out of PS.Case No. -371 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Shashinand Kumar,
2. Chandan Kumar
Both are Sons of Rajbalabh Prasad, R/o Vill.- Nayagaon, P.S.- Kesaria,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Advocate.

For the Opposite Party : Mr. Rajeev Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-06-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Motihari Town P.S. Case No. 371 of 2016** instituted for the offence under Section 363 of the Indian Penal Code. Subsequently, Section 366(A) of the Indian Penal Code was added.

The First Information Report is against unknown. The name of this petitioner has come in further statement of the informant.

Learned counsel for the petitioners has submitted that both parties are on litigating term and several cases are pending between them. The name of the petitioners have been taken by the



informant in her further statement on account of previous enmity.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that the informant has taken the name of the petitioners in her further statement. It has further been submitted that it is mentioned in the case diary that several cases are pending between the parties.

Considering the facts and circumstances of the case, 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 **Motihari Town P.S. Case No. 371 of 2016**, 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 learned **Chief Judicial Magistrate, Motihari (East Champaran)**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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.

S.Ali/-

(Sanjay Priya, J)

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