

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46660 of 2018

Arising Out of PS.Case No. -251 Year- 2002 Thana -TURKAULIYA District-
EASTCHAMPARAN (MOTIHARI)

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1. Bachandeo Paswan, son of Sunarman Paswan
2. Bachcha Rai @ Bachcha Prasad son of Munshi Rai
3. Teja Rai, son of Munshi Rai All resident of Village- Khagani, P.S.
Turkaulia, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Turkaulia
P.S. Case No. 251/2002, instituted for the offences punishable
under Sections 147, 148, 149, 323, 324, 341 and 307 of the Indian
Penal Code.

Learned counsel for the petitioners has submitted that
police after investigation did not submit charge-sheet for the
offence under Section 307 of the Indian Penal Code but
cognizance has been taken for the offence under Section 307 of
the Indian Penal Code by the court below. It is further submitted
that there is case and counter case between the parties. The instant



case is counter blast of Turkaulia P.S. Case No. 244/2002 lodged against the informant which is pending in the court of learned Chief Judicial Magistrate, Motihari. It has further been submitted that compromise has already been taken between the parties, copy of which has been annexed as Annexure-2 to the bail petition. There is general and omnibus allegation against these petitioners in the written report.

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 Turkaulia P.S. Case No. 251/2002, 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 Sri S.C. Srivastava, Judicial Magistrate 1st Class, Motihari, East Champaran, 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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