

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41197 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Mukesh Chandra Bhushan @ Mukesh Chandra, son of Chandra Bhushan Dhuroov,
 2. Anita Kumari, W/o Mukesh Chandra Bhushan, both R/o village-Gurhenwa, P.S.- Kundwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 02-01-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Kundwa Chainpur P.S. Case No.94 of 2017** instituted for the offence under Section(s) 307 and other allied sections of the Indian Penal Code.

Counsel for the petitioners has submitted that there is specific allegation in the written report of committing overt act against co-accused, Mukul Chandra Bhushan and Amarendra Kumar Singh, of attempting to outrage modesty of wife of the informant and both have been granted anticipatory bail by this Court by order dated 31.08.2017 passed in Cr. Misc. No.40088 of 2017.



From the written report itself, it appears that there is no allegation of any specific overt act against these petitioners.

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 **Kundwa Chainpur P.S. Case No.94 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 **Sub-Divisional Judicial Magistrate, Sikrahana, 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 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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