

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2904 of 2018

Arising Out of PS.Case No. -186 Year- 2017 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Pahwari Chaudhary, S/o Late Chingi Chaudhary, R/o Village- Bhitaha,
P.S.- Bairiya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bairiya P.S.**

Case No. 186 of 2017 (G.R. No. 2872 of 2017) instituted for the
offence under Sections 341, 323, 447, 457, 307, 380, 379, 504 and
506/34 of the Indian Penal Code.

In the written report it is alleged that this petitioner
assaulted the husband of the informant with *Barchhi* in his
Panjara.

Learned counsel for the petitioner has submitted that
petitioner and informant are full brothers. There is case and
counter case between the parties. It has further been submitted that
the informant and her husband in their statement before the police
have stated that injury was sustained by husband of the informant



in his thigh.

Case diary has been received.

Learned A.P.P. after perusal of the case diary has submitted that there is no injury report of the husband of the informant available in the case diary. Only prescription of the private Doctor has been enclosed wherein the doctor has prescribed some medicine.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Bairiya P.S. Case No. 186 of 2017 (G.R. No. 2872 of 2017)**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-IVth, Bettiah, West 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his



bail bond and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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