

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41350 of 2018

Arising Out of PS.C.ase No. -321 Year- 2018 Thana -MUZAFFARPUR TOWN District- MUZAFFARPUR

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1. Awadhesh Rai @ Awadhesh Kumar,
2. Ganesh Kumar @ Ganesh Rai,
3. Vikki @ Vikash Kumar @ Vikki Kumar All Sons Sri Baijnandan Ray @ Brij Nandan Rai, R/o Mohalla- Mohanpur Colony, Motijheel, P.S.- Town, Distt.- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioners as well as the State.

The petitioners apprehend their arrest in Town P.S. Case No. 321/2018, instituted for the offences under Sections 420, 406, 504, 506 and 379 of the Indian Penal Code and Section 138 of the N.I. Act.

Learned counsel for the petitioners has submitted that the informant has neither entered into any agreement with the petitioners nor any amount has been paid by the informant. The petitioners have not issued any cheque to the informant, which is apparent from the written report itself. The name of the petitioners



has come in the second part of allegation that on the direction of Raj Kumari Devi, the petitioners along with co-accused Dilip Kumar assaulted the informant.

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 Town P.S. Case No. 321/2018, they shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur, 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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