

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8790 of 2018

Arising Out of PS.Case No. -251 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Dharup Prasad @ Dhruv Prasad,
2. Subhash Prasad @ Subhash Kumar,
3. Jitendra Prasad,

All sons are Kishundeo Prasad,

4. Nawal Prasad @ Nawal Kishore Prasad, S/o- Mangal Prasad,
5. Manish Prasad @ Manish Kumar, S/o- Jitendra Prasad,
6. Manoj Kumar @ Manoj Prasad, S/o- Radholal Prasad,
7. Dhiraj Prasad, S/o- Shambhu Prasad,
8. Manjay Prasad, S/o- Fudeni Prasad,
9. Paras Prasad, S/o- Fudeni Prasad,

All are resident of Village- Punas, P.S. Madhuban, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bal Govind Sharma, Advocate.
For the informant	:	Mr. Pramod Kumar Pandey, Advocate.
For the State	:	Mr. Tarkeshwar Nath Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 29-03-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Madhuban P.S. Case No. 251 of 2016** instituted for the offence under Sections 448, 447, 341, 323, 307, 379, 506 and 504/34 of the Indian Penal Code and Section 3/4 of Daine Act..

Learned counsel for the petitioner has submitted that father of petitioner No. 1 has earlier filed Madhuban P.S. Case No.



240 of 2016 against the informant and others. The instant case has been filed after 16 days of filing of the aforesaid case. In the instant case it is alleged that all these petitioners attempted to keep faeces in the mouth of the informant. It is also alleged that petitioner No. 6 assaulted husband of the informant with iron rod on his head and petitioner No. 9 assaulted jaut of the informant namely, Shashi Kumar by Bamboo (Fatti).

Case diary has been received.

Learned A.P.P. has submitted that the injuries found on the person of the injured are simple in nature.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioners.

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 **Madhuban P.S. Case No. 251 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 Additional Chief Judicial Magistrate-IV, East Champaran, Motihari**, 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.

(Sanjay Priya, J)

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