

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10936 of 2018

Arising Out of PS.Case No. -647 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Ashok Kumar, Son of Ganesh Singh,
2. Bitu Kumar, Son of Ashok Kumar,
3. Vicky Kumar, Son of Ashok Kumar, All resident of Mohalla- Miskaut,
Khadi Bandar Road, Ward No.7, P.S.- Town Motihari, District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-03-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners apprehend their arrest in Motihari Town P.S.
Case No.647 of 2017 for the offence under Sections 302, 120
(B)/34 of I.P.C.

In the written report it is alleged that on the date of
occurrence while the informant, Noor Begam was in her court
yard these petitioners along with other accused persons having
armed with knife and stick came there and abused her and when
she made protest they assaulted her. She raised alarm upon which
her daughter Taiyaba Khatoon, son Ladle Khan and husband



Chhunu Khan came to rescue her. The accused persons assaulted them with knife. They also torn the clothes of the informant on account of which she became naked partially. The injury reports of three injured have been annexed as Annexure-2 series in which Doctor has found simple injuries.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari, in Motihari Town P.S.Case No.647 of 2017 subject to the conditions as laid down under Section 438(2) of 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 co-operate 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 bonds 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)

AnilKrSinha/-

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