

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33493 of 2018

Arising Out of PS.Case No. -9 Year- 2018 Thana -BHADAURA District- PATNA

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1. Golu Kumar, S/o Radheshyam Singh, R/o Vill.- Bhadaur, P.S.- Bhadaur, Distt.- Patna.
 2. Santosh Ram, S/o Balmiki Ram, R/o Vill.- Bhadaur, P.S.- Bhadaur, Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.

For the Opposite Party/s : Mr. Amrendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-06-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Bhadaur P.S. Case No. 09 of 2018, G.R. No. 235 of 2018** instituted for the offence under Sections 147, 149, 341, 323, 307, 427 and 435 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the instant case is counter blast of Bhadaur P.S. Case No. 08 of 2018 lodged by Choukidar against the tractor Driver of the Tractor owner (informant of this case) against whom there was allegation that son of Chandradeo Mahto, one of the accused of this case, has been seriously injured due to rash and negligent driving by the



driver of the tractor of this informant. In the instant case the informant has alleged that on 18.2.2018 when the driver of the informant was going to bring Diesel by tractor, the tractor fell down in a ditch in order to save a buffalo. Thereafter, the petitioners and other accused persons named in the written report came near the tractor and set the tractor on fire after sprinkling diesel. They also tried to burn the driver of the tractor, but, the driver of the tractor any how managed to save himself. The Xerox copy of earlier case lodged by Choukidar against driver of this informant vide Bhadaur P.S. Case No. 08 of 2018 has been enclosed as Annexure-2.

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 **Bhadaur P.S. Case No. 09 of 2018, G.R. No. 235 of 2018**, 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 **Shri P.K. Tiwari, learned Judicial Magistrate, 1st Class, Barh**, 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.

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(Sanjay Priya, J)

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