

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44835 of 2018

Arising Out of PS.Case No. -75 Year- 2018 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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1. Hare Ram Choudhary,
2. Bittan Choudhary @ Shailendra Choudhary,
Both Sons of Late Kusho Choudhary,
3. Babloo Chaoudhary, S/o Pramod Choudhary,
All R/o Vill.- Diha, P.S.- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 07-08-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Sahebpur Kamal P.S. Case No. 75 of 2018** instituted for the offence under Sections 341, 342, 147, 148, 149, 323, 324, 326, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioners submits that there is land dispute between the parties. There is general and omnibus allegation against petitioners and other accused persons that they assaulted father of the informant. No injury report of father of the informant is available in the case diary. The Sessions Judge has mentioned in the impugned order that no injury report is available



in the case diary.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

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 **Sahebpur Kamal P.S. Case No. 75 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 learned **Additional Chief Judicial Magistrate-Vth, Begusarai**, 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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