

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46098 of 2018

Arising Out of PS.Case No. -324 Year- 2017 Thana -CHAKIA District- EASTCHAMPARAN
(MOTIHARI)

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1. Bedami Devi, W/o Lalan Sah,
2. Sonu Sah S/o Lalan Sah,
3. Ranjeet Sah S/o Lalan Sah,
4. Dasai Sah S/o Late Chulhai Sah, All R/o Vill.- Daya Chapra, P.S.- Chakia, District- East Champaran.
5. Ashok Bhagat S/o Late Shividhyan Bhagat, R/o Vill.- Bishanpur, P.S.- Pipra District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners, the informant as well as the State.

The petitioners apprehend their arrest in Chakia P.S. Case No. 324/2017, instituted for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 325 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that this case is counter blast of Chakia P.S. Case No. 299/2017 filed by co-accused Lalan Sah. There is land dispute between the parties. In the instant case, there is allegation that petitioner no. 3 assaulted the informant with iron rod with intention to kill him but



the informant saved himself with his hand and sustained injury in his hand. Thereafter, Lalan Sah gave several blows to the informant. Petitioner no. 4 also assaulted with *Farsa* causing injury on the head of informant. Injury report of the informant has been enclosed as Annexure-3 which shows that all the injuries found on the person of the informant are simple in nature. It is further submitted that Co-accused Lalan Sah has already been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 13.08.2018 passed in Cr. Misc. No. 46725/2018.

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 Chakia P.S. Case No. 324/2017, 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 the learned Chief Judicial Magistrate, East Champaran at Motihari, 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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