

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19130 of 2018

Arising Out of PS.Case No. -131 Year- 2017 Thana -MATIHANI District- BEGUSARAI

- =====
1. Chandan Choudhary, Son of Late Angad Choudhary, Resident of Village- Mathani, P.S.- Matihani District- Begusarai.
 2. Kanhaiya Singh, Son of Binay Singh, Resident of Village- Chhitaur, P.S.- Matihani, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-05-2018 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Matihani Police Station Case No. 131 of 2017, disclosing offences under Sections 353, 290, 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioners is of terrorizing the public and when police came to catch them, they abused the police party and obstructed them in discharge of their official duty.

Learned Counsel for the petitioner has submitted that out and out false and fabricated case has been lodged and no



such occurrence as alleged has ever taken place and petitioners neither abused any public nor made any firing.

Having heard both sides, considering the facts and circumstances of the case so far petitioner no. 1 is concerned, I am not inclined to grant the privilege of anticipatory bail to him.

So far petitioner no. 2, is concerned, considering the facts and circumstances of the case, let petitioner no. 2, namely, Kanhaiya Singh, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate Begusarai/concerned court, in connection with Matihani Police Station Case No. 131 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure., it is further subject to the condition that:-

- I. One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.
- II. The petitioners shall cooperate in the investigation and make himself available as and when required by the police and on the



event on failure of his part to appear before the police on two consecutive dates, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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