

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45887 of 2017

Arising Out of PS.Case No. -75 Year- 2017 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Khir Mohan Das & Ors, Son of Bidu Bhushan Das.
 2. Sunil Das, Son of Khir Mohan Das.
 3. Vishwakarma Chaudhary, Son of Ramadhar Chaudhary.
 4. Binod Das, Son of Kailash Das.
 5. Jadwi Devi, Wife of Sunil Das.
 6. Manik Das, Son of Makhan Das.
 7. Ganga Devi, Wife of Sudhir Das.
 8. Pramod Das, Son of Kailash Das.
 9. Ravibala Dasi, Wife of Khir Mohan Das. null
 10. Punil Das, son of Krishna Bandhu Das.
 11. Brihaspati Dasi, Wife of Kandhar Das.
 12. Raj Kishore Das, Son of Sri Khap Kumar Das.
 13. Jitendra Das, Son of Karmdhar Das.
 14. Sudhir Das, Son of Khir Mohan Das.
 15. Sushil Das, Son of Late Binod Bihari Das. All resident of Village- Dharmuha Colony, Police Station- Muffasil Motihari, District- East Champaran.
 16. Mithun Das, Son of Satish Das, resident of Village- Sanichari Kothi, Police Station- Sanichari Kothi, District- West Champaran.
 17. Adhir Das, Son of Amar Das, Resident of Village- Bela Colony, Police Station- Pipra Kothi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Muffasil P.S. Case

No. 75 of 2017 instituted for the offence under Sections

147,148,149,323,324,325,307,427,436,504,506 of the IPC and

Section 27 of the Arms Act.



Learned counsel for the petitioners has submitted that there is specific allegation in the written report against co-accused Madan Mohan Das and Munna Das, who are not petitioner in the present petition. In the written report, there is general and omnibus allegation against all the petitioners. It has been submitted that petitioner no. 1 Khir Mohan Das has earlier filed a case vide Muffasil Motihari P.S. Case No. 83 of 2017 against the informant and others. The present case has been filed by the informant only to save his skin from the allegation made in Muffasil Motihari P.S. Case No. 83 of 2017.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Muffasil P.S. Case No. 75 of 2017 to the satisfaction of learned Judicial Magistrate 1st Class, Sadar Motihari, East Champaran subject to condition as laid down u/S 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, the bail bonds of the petitioners will liable to be cancelled (3) if the petitioners tampers 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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