

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46982 of 2018

Arising Out of PS.Case No. -74 Year- 2018 Thana -RAXAUL District- EASTCHAMPARAN
(MOTIHARI)

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1. Yadolal Rai @ Yadavlal Rai son of Ram Bilash Rai
2. Mirtunjay Kumar @ Mirtunjay Kumar Yadav @ Mritunjay Kumar son of
Motilal Rai Both are residents of village -Kaurhihar Bhagwanpur P.S.
Raxaul, Dist - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-09-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Raxaul P.S.Case No.74 of 2018 , registered for offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

Petitioner no.1 is the brother of the informant and the petitioner no.2 is the son of the petitioner no.1 and there is allegation of throwing hot water on the informant.

Submission of the learned counsel for the petitioners is that specific allegation of throwing hot water is on another co-accused person and against these petitioners there is general and omnibus allegation and the land dispute is admitted between the parties.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above that let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Raxaul at Motihari East Champaran in connection with Raxaul P.S.Case No.74 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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