

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35764 of 2018

Arising Out of PS. Case No.-75 Year-2017 Thana- BAHERI District- Darbhanga

-
1. Suraj Choupal, Son of Late Kishan Choupal,
 2. Jagdish Choupal, Son of Late Lakhan Choupal.
 3. Maheshwar Choupal, Son of Bhola Choupal, All resident of Village- Habidih, P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Manish Kumar 2

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Bahari P.S. Cas No. 75 of 2015 instituted for the offence under Sections 147, 148, 149, 341, 323, 307, 188, 332, 435, 427 and 353(A) of the Indian Penal Code and ³/₄ of Prevention of Damage of Public Property Act.

It is submitted that case of petitioner no.1 has already been dismissed vide order dated 28.6. 2018. Learned counsel for the petitioners has submitted that petitioners are named merely as member of unlawful assembly. In the written report there is no allegation of specific overt act against these petitioners.

In the facts and circumstances of the case, prayer of the petitioner no.2 and 3 for grant of anticipatory bail is allowed. In the



event of surrender/arrest of the petitioner no.2 and 3, named above, within six weeks from today in connection with Bahari P.S. Case No. 75 of 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 A.C.J.M.-IX, Darbhanga, 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 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)

shyambihari/-

U		T	
---	--	---	--

