

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7741 of 2018

Arising Out of PS.Case No. -415 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Parmeshwar Sah, S/o Dhrup Sah,
2. Bigeshwar Sah, S/o Dhrup Sah,
3. Dhrup Sah, S/o Late Ramdayal Sah,
All are R/o Village- Pakariya Malahi Tola, P.S.- Jagdishpur, District- West
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Chaubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-03-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Nautan**
(Jagdishpur) P.S. Case No. 415 of 2017 instituted for the offence
under Sections 447, 341, 323, 324, 308, 427 and 504/34 of the
Indian Penal Code.

In the written report it is alleged that while the
informant was sitting at his door on the date of occurrence at
11:00 a.m. petitioner No. 1 came at his door and started cutting
Gullar leaf from the tree which was objected by the informant,
upon which, petitioner No. 1 abused him and, thereafter, he



assaulted with Garasi upon his head, but it hit over his right ear causing injury to him. It is further alleged that petitioner No. 3 Dhrup Sah assaulted the informant with Bamboo piece on his left hand. Petitioner No. 2 also assaulted the informant with *lathi*.

Case diary has been received.

It is mentioned in paragraph-19 of the case diary that no injury report was made available to the police.

Considering the facts and circumstances of the case, 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 **Nautan (Jagdishpur) P.S. Case No. 415 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 **learned Additional Chief Judicial Magistrate-1st, Bettiah, Distt. West Champaran**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail



bond 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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