

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27451 of 2018

Arising Out of PS.Case No. -4 Year- 2018 Thana -BUXAR District- BUXAR

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1. Anpurna Devi Wife of Raj Kumar Modanwal @ Mahangi
2. Gauri Shankar Modanwal @ Gourishankar Halwai Son of Late Shivrath Prasad Resident of Village - Jai Muhalla, Buxar, P.S. - Buxar (T), District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Buxar)T) P.S.Case no.04 of 2018 , registered for offences punishable under Sections 341, 326 and 307/34 of the Indian Penal Code.

Allegation against the petitioners is of order-giver and the allegation against the other co-accused persons is of assault.

Submission of the learned counsel for the petitioners is that there is case and counter case between the parties, petitioner is only a order-giver and another co-accused person has been granted ;privilege of the anticipatory bail vide order dated 5.4.2018 passed in Cr. Misc. No.15676 of 2018.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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 C.J.M., Buxar in connection with Buxar (T) P.S.Case no.04 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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