

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29384 of 2018

Arising Out of PS.Case No. -165 Year- 2017 Thana -RAGHUNATHPUR District- SIWAN

- =====
1. Mokhtar Chaubey, S/o Late Banarsi Chaubey, R/o Village- Rajpur, P.S.- Raghunathpur, District- Siwan.
 2. Ramprakash Chaubey, S/o Late Banarsi Chaubey, R/o Village.- Rajpur, P.S.- Raghunathpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 03-07-2018

Counsel for the petitioners submits that petitioner

No.1, Mokhtar Chaubey, has been arrested during the pendency of this application.

In view of such, this application is dismissed as withdrawn in so far as it relates to petitioner No.1.

Heard learned counsel for the petitioner No.2 and learned APP for the State.

Petitioner No.2 apprehends his arrest in **Raghunathpur P.S. Case No. 165 of 2017** instituted for the offence under Section(s) 341, 324, 379 and 504/34 Indian Penal Code.

In the written report, allegation against the petitioner No.2 is that he caught hold waist of the informant. There is no



allegation of assault against petitioner No.2.

In the facts and circumstances of the case, prayer of the petitioner No.2 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the **petitioner No.2**, named above, within six weeks from today in connection with **Raghunathpur P.S. Case No. 165 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate – VIII, Siwan**, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner 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 petitioner.

(Sanjay Priya, J)

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Rohit Kr.

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