

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49152 of 2018

Arising Out of PS. Case No.-223 Year-2017 Thana- MOTIHARI District- East Champaran

1. Nawlesh Rai @ Nawlesh Kumar son of Jimdar Rai resident of village - Gokhula, P.S. Banjariya, District - East Champaran.
2. Ramashankar Rai son of Late Dhaneshwar Rai Resident of Village - Badharwa, P.S. - Muffasil, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in **Town P.S. Case No.223 of 2017** instituted for the offence under Section(s) 147, 353, 379 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that these petitioners were also bidder in the bid which was held in Zila Parishad Office. One Bijay Prasad Yadav was the highest bidder but he was unable to deposit the amount on that date. The petitioners who were also the bidders raised objection because the informant has allowed him to deposit the amount by Monday or deposit the amount by cheque on the same day. It is alleged that on account of such altercation took place and the petitioners misbehaved with the



informant.

In this manner, there is general and omnibus allegation against these petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Town P.S. Case No.223 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 **C.J.M., Motihari, East 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 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)

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