

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10161 of 2018

Arising Out of PS.Case No. -186 Year- 2015 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Laxmi Devi, W/o- Jamadar Sah
 2. Jamadar Sah, S/o- late Sataha Sah
 3. Puja Kumari, D/o- Birendra Sah
 4. Rina Devi, W/o- Birendra Sah, all resident of village- Budhna, P.S.
Chiraiya, District- Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 23-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Chiraiya P.S.**

Case No.186 of 2015 instituted for the offence under Section(s)
302/34 Indian Penal Code.

Counsel for the petitioners has submitted that there
is general and omnibus allegation against the petitioners.
Allegation of assault is against co-accused, Birendra Sah. It is
alleged that Birendra Sah assaulted the wife of the informant on
stomach with *lathi*.

Counsel for the petitioners has further submitted that
Birendra Sah has faced trial and has already been acquitted vide
Sessions Trial No.396 of 2016.



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 **Chiraiya P.S. Case No.186 of 2015**, 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 **Additional Chief Judicial Magistrate, Sikrahna at Dhaka, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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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