

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9111 of 2018

Arising Out of PS.Case No. -384 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Tapshi Sah, S/o Late Sarjug Sah,
2. Nand Sah @ Nand Lal Sah S/o Late Sarjug Sah,
3. Ramji Sah S/o Late Sarjug Sah,
4. Modi Sah S/o Bishun Sah,
5. Kanahai Sah @ Kanhaiya Sah S/o Bishun Sah, All are R/o Village-
Vishunpur, P.S.- Jagdishpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-03-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in connection with Nautan (Jagdishpur) P.S. Case No. 384/2017 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is case and counter case between the parties being Nautan P.S. Case No. 385/2017, which has been lodged by the father of co-accused Raju Sah. In the instant case, there is allegation that the petitioners assaulted the informant and one Farmud Ansari with



lathi, danda and *Farsa*. Injury report of both the injured has been annexed as Annexure-3, which shows that the injury found on the persons of the injured is simple in nature.

Considering the facts and circumstances of the case, the 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. 384/2017, 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 learned Chief Judicial Magistrate, Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) of the 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 the 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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