

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35141 of 2018

Arising Out of PS. Case No.-75 Year-2017 Thana- BAHERI District- Darbhanga

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1. Satto Choupal, Son of Mahendra Choupal,
 2. Kumar Kant Choupal, Son of Late Chhitan Choupal @ Dhatan Chaupal, Resident of Village- Habidih, P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Baheri P.S. Case No. 75 of 2017 instituted for the offence under Section(s) 147, 148, 149, 341, 323, 307, 188, 332, 435, 427 and 353(A) of the Indian Penal Code and Section 3/4 of Prevention of Damage of Public Property Act.

It is submitted that petitioners are alleged to be member of unlawful assembly. In the written report, it is alleged that some dispute has taken place between two community for burying the dead body. It is alleged that brick bats etc. were also thrown by the persons who had assembled at the place of occurrence. It is further submitted that other co-accused persons with similar



allegation have been granted anticipatory bail by this court vide order dated 02.07.2018 passed in Cr. Misc. No. 35764 of 2018.

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 Baheri P.S. Case No. 75 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 ACJM-IX, Darbhanga, 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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