

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26816 of 2018

Arising Out of PS.Case No. -9 Year- 2018 Thana -BHAIRABASHTHAN District- MADHUBANI

- =====
1. Basant Chaudhary @ Basant Kamati, S/o Vishnath Chaudhary @ Vishwanath Chaudhary
 2. Shailendra Chaudhary, S/o Eshnath Chaudhary,
 3. Anil Chaudhary, S/o Eshnath Chaudhary,
 4. Kushum Lal Chaudhary, S/o Amrit Lal Chaudhary,
 5. Eshnath Chaudhary, S/o Late Damodar Chaudhary, all are resident of Village- Lalganj, P.S.- Bhairabsthan, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
Ms. Nitu Kumari No.7, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3/ 25-06-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Bhairabsthan P.S. Case No. 09 of 2018** instituted for the offence under Section(s) 147, 148, 149, 341, 323, 307, 379, 504, 506 Indian Penal Code.

Counsel for the petitioners has submitted that wife of petitioner No.3 is Ward Member, which post was earlier held by the Informant. In the last election, wife of the informant contested the election against the wife of Petitioner No.3 and she lost the election. Due to political rivalry instant case has been filed. It has further been submitted that counter case vide Bhairabshtan P.S. Case No.10 of 2018 has been filed by the wife



of petitioner No.3 against the informant and other. Injuries sustained by the informant and others were found to be simple in nature. Injury report has been enclosed as Anenxure-3.

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 **Bhairabsthan P.S. Case No. 09 of 2018**, 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, 1st, Jhanjharpur, Madhubani**, 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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