

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76789 of 2018

Arising Out of PS. Case No.-94 Year-2018 Thana- SIKRAUL District- Buxar *

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1. Vakil Choudhary Son of Dasarth Choudhary
 2. Ramphal Choudhary Son of Nathun Choudhary
 3. Ranjan Choudhary Son of Nathun Choudhary
 4. Mukhadi Choudhary @ Mukhandi Choudhary, Son of Suresh Choudhary All Resident of Village-Pariyari,P.S. Sikraul,Distt.-Buxar Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Upadhyay
For the Opposite Party/s : .Smt. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 15-03-2019 Learned counsel for the petitioners states that the petitioner no. 2 had already been arrested and seeks permission to withdraw the anticipatory bail petition as against him, as the same has become infructuous.

2. Permission is accorded. Anticipatory bail petition as against petitioner no. 2 is permitted to be withdrawn and is dismissed as such.

3. The petitioner nos. 1, 3 and 4 apprehend their arrest for the offences alleged under Sections 341/323/307/379/ 504 34 IPC registered in connection with Sikraul P.S. Case No. 94/2018.

4. It is submitted that the petitioner nos. 1, 3 and 4 have been falsely implicated in the backdrop of land dispute between the parties. There is no injury report on record to corroborate the accusation of assault. Out of 11 accused persons seven similarly situated co-accused persons have been granted anticipatory bail



by this Court in Cr. Misc. No. 79946 of 2018. The petitioner nos. 1, 3 and 4 claim clean antecedents.

5. Be that as it may, in the event of arrest or surrender by petitioner nos. 1, 3 and 4 before the court below within six weeks from the date of communication of this order, let the above named petitioner nos. 1, 3 and 4 be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Buxar, in connection with Sikraul P.S. Case No. 94/2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

i. That one of the bailors shall be a close relative of the petitioner nos. 1, 3 and 4.

ii. That the petitioner nos. 1, 3 and 4 shall not indulge in any similar offence till conclusion of the trial.

iii. That the petitioner nos. 1, 3 and 4 shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

iv. The petitioner nos. 1, 3 and 4 shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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