

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76125 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- CHIRAIYA District- East Champaran

1. SHIV SAH S/o - Late Dewan Sah Resident of Village- Khartari, P.S.- Chiraya, Dist- East Champaran.
2. Pawan Kuamr Son of Shiv Sah Resident of Village- Khartari, P.S.- Chiraya, Dist- East Champaran.
3. Munna Sah Son of Laxmi Sah Resident of Village- Khartari, P.S.- Chiraya, Dist- East Champaran.
4. Sanni Kumar S/o Munna Sah Resident of Village- Khartari, P.S.- Chiraya, Dist- East Champaran.
5. Rameshwar Sah Son of Late Gagan Sah Resident of Village- Khartari, P.S.- Chiraya, Dist- East Champaran.
6. Sonu Kumar Son of Munna Sah Resident of Village- Khartari, P.S.- Chiraya, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-12-2019 Counsel for the petitioners submits that due to typographical error the name of petitioner No. 4 has been wrongly typed as 'Sanni' instead of 'Sunny'. He is permitted to make correction in the cause title.

Heard learned Counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in Chiraiya PS Case No. 16 of 2019 registered under Sections 341, 323, 308, 379,



325, 504 and 506/34 of the IPC.

Referring to the joint compromise petition placed on record before the ACJM Sikrahna, East Champaran, it is submitted that the case was lodged under misconception and realising the mistake the informant has signed and presented the compromise petition in the court below. Copy of the same is Annexure 1 of the supplementary affidavit.

Learned APP for the State opposes the prayer.

Considering the aforesaid submissions as also the facts and circumstances of the case, this Court is inclined to allow the petitioners' prayer for anticipatory bail.

In the event of arrest or surrender before the court below within four weeks from today, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM Sikrahana at Dhaka in Chiraiya PS Case No. 16 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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