

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6701 of 2020

Arising Out of PS. Case No.-262 Year-2019 Thana- HUSSAINGANJ District- Siwan

1. DHARMATMA CHAURASIYA Son of Late Hiralal Chaurasiya Resident of Village - Gopalpur, P.S.- Hussainganj, Dist.- Siwan.
2. Kiran Devi W/o Dharmatma Chaurasiya Resident of Village - Gopalpur, P.S.- Hussainganj, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Adv.

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 01-10-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners apprehend their arrest in a case registered under Sections 341, 323, 324, 308, 379, 504, 506 of the Indian Penal Code.

Allegation against petitioners is of abusing and assaulting the informant and her nephew by means of lathi and danda and they also stabbed wife of nephew and snatched her Mangalsutra.



It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. It has been further submitted that occurrence took place on 30.08.2019 but FIR was lodged on 22.09.2019 after delay of 23 days without any explanation. Injury found is stated to be simple in nature. Petitioners have no criminal antecedents.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan, in connection with Hussainganj P.S. Case No. 262 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their



absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.

(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.

(S. Kumar, J)

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