

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76981 of 2019

Arising Out of PS. Case No.-438 Year-2019 Thana- CHIRAIYA District- East Champaran

1. SUNIL RAI S/o Bishundeo Rai R/o village- Baidyanathpur, P.S.- Chiraiya, District- East Champaran
2. Suresh Rai S/o Bishundeo Rai R/o village- Baidyanathpur, P.S.- Chiraiya, District- East Champaran
3. Anil Rai S/o Bishundeo Rai R/o village- Baidyanathpur, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 26-02-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Chiraiya P.S. Case No. 438 of 2019 registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

It is submitted on behalf of petitioners that on a petty dispute of drainage of water, some scuffle took place, as a result of which, informant and others sustained some injury. It is further submitted that the injury caused to the informant side was found to be simple in nature by the doctor. It is also submitted that Bishundeo Rai, one of the co-accused, had also lodged a case against the informant and his family, vide



Chiraiya P.S. Case No. 445/19. There is land dispute in between the parties. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahna at Dhaka, District: East Champaran in connection with Chiraiya P.S. Case No. 438 of 2019 on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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