

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34048 of 2023

Arising Out of PS. Case No.-106 Year-2022 Thana- MEHSI District- East Champaran

1. Jailal Sah son of Phaja Sah @ Faza Sah Village- Mithanpura Ps- Mehsi Dist- E.Champaran
3. Channa Devi @ Chanda Devi wife of Jailal Sah Village- Mithanpura Ps- Mehsi Dist- E.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mr.Binod Kumar,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-07-2023

Heard the parties.

The petitioners apprehend their arrest in connection with Mehsi P.S. Case No. 106 of 2022 for the offence punishable under Sections 341, 323, 354(B), 307, 379, 504, 506, 34 of the I.P.C. lodged on 06.05.2022 by the informant Reena Devi

As per the prosecution story, the allegation is against the family members of petitioners coming and assaulting the informant's side with further allegation against petitioner 1 and 2 taking active part in assault.

Learned counsel for the petitioners submit there is a case and counter case and further no injury report is on record



the petitioner no. 1 is seventy years old while the petitioner no. 2 is sixty four years old lady.

Learned APP opposes the prayer.

In the aforesaid circumstance, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioners, in the event of their arrest or surrender within a period of four weeks from the date of the receipt of the order, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Mehsi P.S. Case No. 106 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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