

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38695 of 2014

Arising Out of PS.Case No. -218 Year- 2013 Thana -PARWATTA District- KHAGARIA

- =====
1. Deo Narayan Sangahi Son of Late Surya Narain Sangahi
 2. Nitin Kumar @ Nitin Sangahi Son of Rajo Sangahi
 3. Deepak Sangahi Son of Dhananjay Sangahi
 4. Sachin Sangahi Son of Rajo Sangahi
- All resident of village- Sri Rampur Thuthi, Police Station- Parbatta,
District- Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 13-03-2015 Having regard to the nature of allegation against the petitioner no.1, Deo Narayan Sangahi of causing injury on the father of the informant which stands substantiated by the injury report, this Court is not inclined to grant anticipatory bail to him.

As with regard to the rest of the petitioners, namely, Nitin Kumar @ Nitin Sangahi, Deepak Sangahi and Sachin Sangahi, there is no specific allegation against them, inasmuch as, the main allegation of assault is against Rajo Sangahi who is said to have caused Khanti blow on the head of the informant which again have been found to be there by the doctor in the injury report.

That being so, if the petitioner nos. 2, 3 & 4, namely,



Nitin Kumar @ Nitin Sangahi, Deepak Sangahi and Sachin Sangahi surrender before the court below within a period of four weeks from today, they shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagariya in connection with Parbatta P.S. Case No. 218 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to the following conditions:

- (i) That both the bailors will be a close relative of the petitioners, who will undertake an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not an accused in any other case and if they are, they shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioners are implicated in any other case of similar nature after his release in the present case and, thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioners will be well represented on each and every date in course of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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