

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36435 of 2014

Arising Out of PS.Case No. -159 Year- 2014 Thana -PATORI District- SAMASTIPUR

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1. Sita Devi Wife of Birchandra Rai
 2. Ajit Rai, Son of Tuna Rai
 3. Ravindra Rai, Son of Tuna Rai
 4. Birchandra Kumar @ Birchandra Rai, Son of Rajeshwar Rai, All resident of village- Chakraj Alli, P.S.- Patory, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Shailendra Kumar No.2 (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 03-04-2015 Heard Counsel for the petitioners and Mr. Ram Chandra Singh, learned APP for the State. A supplementary affidavit has been filed.

Four petitioners, apprehending their arrest in Patori P.S. Case No. 159 of 2014 registered under diverse provisions of the Penal Code including Sections 307 and 379 IPC, have prayed for grant of anticipatory bail.

As per allegation, petitioner no. 4 is said to have assaulted the son of the informant with *farsa* on head. It has been submitted that prior thereto, a case was lodged by petitioner no. 1 against the present prosecution side in which she received injuries. Both the parties are agnates. Referring to the injuries of the Pankaj



Kumar, it has been submitted that no injury caused by pointed/sharp weapon has been found by the doctor. It has also been submitted that in the counter case lodged by petitioner no. 1, she has received injuries for which she was admitted in the hospital wherefrom the case was lodged.

I have considered the nature of allegation and the circumstances under which they have been alleged. Considering the nature of injuries and the other circumstances emanating from the record, the petitioners aforesaid, in the event of arrest or surrender in the Court below within four weeks, shall be released on anticipatory 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 Chief Judicial Magistrate, Samastipur in connection with Patori P.S. Case No. 159 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) After the framing of charge, the petitioners shall appear in person on each and every date fixed in the trial.

In case of default on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall cancel

the bail bond of the petitioners and secure their arrest in accordance with law.

(iii) During the subsistency of the privilege of bail, if the petitioners are found involved in any other criminal case, the same shall be construed as violations of the conditions of bail and result in cancellation thereof.

(Kishore Kumar Mandal, J)

Pankaj/-

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