

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42675 of 2016

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1. Sukhlal Ram Son of Late Ramdhani Ram
2. Satyendra Ram son of Sukhlal Ram
3. Nilesh Kumar @ Nilesh Ram son of Birendra Ram resident of Village-
Gandi Nagar, P.S.- Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 06-12-2016 Heard the counsel for the petitioners and Mr. M. Dayal,
APP for the State.

The petitioner nos. 1 and 3 pray for grant of anticipatory
bail in Madanpur P.S. Case No. 78 of 2016 registered under
Sections 341, 323, 324, 325, 326, 307, 504/34 of the Indian Penal
Code.

In substance, the allegation is that while the father of the
informant was going to defecate in the field, the accused(s)
persons surrounded and assaulted him with lathi, danda causing
injury on head and other parts of the body.

Contention of the petitioners is that the present one of the
counter blast of (annexure-2), which was lodged by accused of the
present case namely, Virendra Ram under Section 307 in which
the petitioner no. 2 (Satyendra Ram) received grievous injury on



head. It is stated that the injuries sustained by the father of the informant have been opined simple in nature. Referring to the statements made in the supplementary affidavit, it is stated that in the counter case, all the accused(s) persons, on surrender, have been granted the privilege of bail on the same day as they were getting the privilege during investigation under Section 41(1) of the Code of Criminal Procedure.

Considering the facts and circumstances of the case, let the petitioner nos. 1 and 3 above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in Madanpur P.S. Case No. 78 of 2016 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that:

- (i) One of the bailors shall be his/their own/close family member of the petitioners.
- (ii) The petitioners shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel their bail bonds.

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(Kishore Kumar Mandal, J)