

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60437 of 2017

Arising Out of PS.Case No. -233 Year- 2017 Thana -MANSI District- KHAGARIA

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1. Vijay Kumar @ Vijay Kumar Sah, S/o Late Bulaki Sah,
2. Bikki Kumar @ Vishwajit Kumar S/o Shri Vijay Kumar @ Vijay Kumar
Sah, Both R/o Mohalla- Mansi Bazar, P.S.- Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh
For the informant : Mr. Shiv Sagar Sharma, Adv.
For the State : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Mansi P.S. Case No.
233 of 2017 instituted for the offence under Section-308 & other
minor Sections of the Indian Penal Code.

It has been submitted that petitioner No. 1 is own uncle of
informant, petitioner No. 2 is son of petitioner No. 1 and cousin brother
of the informant.

There is land dispute between the parties. The counter case
bearing Mansi P.S. Case No. 234 of 2017 has also been filed against the
informant and others vide Annexure-2.

In the instant case, there is allegation that both these
petitioners assaulted the informant with iron rod and knife.

The injury report has been filed as Annexure-3 wherein the



doctor has found one lacerated wound on scalp and one bruise on the leg and the doctor has opined that the injury may be grievous caused by hard and blunt substance.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Mansi P.S. Case No. 233 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Khagaria subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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