

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10755 of 2017

Arising Out of PS.Case No. -163 Year- 2016 Thana -JANKINAGAR District- PURNIA

- =====
1. Vikash Kumar, S/o Krit Narayan Yadav, Resident of Village- Chharra Patti, P.S.- Janki Nagar, District- Purnea.
 2. Sunil Yadav @ Hemal @ Sunil Kumar, S/o Parmeshwari Yadav, Resident of Village- Thakur Patti, P.S.- Janki Nagar, District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 13-04-2017

Heard learned counsel for the petitioners and the State.

The Petitioners apprehend their arrest in Janki Nagar P.S. Case No. 163 of 2016 instituted for the offence under Sections-307, 354(A) & other minor sections of the Indian Penal Code.

It has been submitted on behalf of petitioners that husband of the informant and father of petitioner No. 2 are step brothers and land dispute is going on between the parties. Petitioner No. 2 is maternal uncle of petitioner No. 1.

As per allegation in the written report, both these petitioners entered into house of the informant and thrashed her on the ground. She raised protest, then accused persons assaulted her



by fist and slaps. Allegedly, the petitioner No. 1 assaulted her on abdomen.

The C.D. has been received.

The learned Sessions Judge has also mentioned in the impugned order that the doctor has opined mild prolapse of uterus in USG report.

The injury report was prepared on 01-03-2017 whereas; occurrence is said to have taken place on 06-12-2016. It further appears that FIR has been lodged after six days on 12-12-2016.

Accordingly, prayer for anticipatory bail is allowed it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four 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 Janki Nagar P.S. Case No. 163 of 2016 to the satisfaction of Sri Divya Prakash, Judicial Magistrate-Ist Class, Purnea 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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