

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24055 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -PARASBIGHA District- JEHANABAD

1. Runa Devi wife of Mahesh Paswan
2. Priti Kumari D/o Mahesh Paswan
3. Rakesh Paswan son of Mahesh Paswan All are residents of village Shahpur Tola Kanhaiyaganj P.S. Parasbigha District Jehanabad.

.... Petitioner/s

Versus

- ## 1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Sri Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 01-08-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Parasbigha P.S.

Case No. 26 of 2017 instituted for the offence under Sections-325, 307, 379 & other minor Sections of the Indian Penal Code.

It has been submitted that the petitioner No. 1 and the informant are own brothers and there is dispute for partition of family property. It has further been submitted that petitioner No. 1 has also filed a case for the same date of occurrence being Parasbigha P.S. Case No. 27 of 2017.

C.D. has been received wherein injury reports of five injured are mentioned at paragraphs-34, 35, 36, 37 & 38 wherein the doctor has found some injuries on the person of the injured.



Moreover, all injuries are found to be simple in nature except two injuries, which are found grievous. The injuries on the person of Vinod Kumar and Sony Devi have been found grievous in nature, which has been found fracture on the right wrist.

In such circumstances, it appears that there has been free fight between the parties and there is case and counter case between the parties as also, there is no allegation in the written report that who assaulted whom. From the written report, it appears that there is general and omnibus allegation against the petitioners.

Accordingly, 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 Parasbigha P.S. Case No. 26 of 2017 to the satisfaction of Sri P. K. Bharti, learned Judicial Magistrate-Ist Class, Jehanabad subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner 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 petitioner and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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