

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29734 of 2017

Arising Out of PS.Case No. -166 Year- 2016 Thana -SONBERSA District- SAHARSA

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1. Dilip Sada, son of Narayan Sada,
2. Akalesh Sada, son of Jaikant Sada,
Both resident of Village- Bhada, P.S.- Sonbarsha Raj, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-07-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Sonbarsa Raj P.S.

Case No. 166 of 2016 instituted for the offence under Sections 147,
149, 341, 379, 323, 324, 307, 504 and 506 of the Indian Penal Code.

It has been submitted that the instant case is a counter blast
of Sonbarsa Raj P.S. Case No. 167 of 2016 filed by Annu Devi wife of
Bablu Sada against the informant and others for the offences under
Sections 376, 511, 341, 323, 504 and 506/34 of the Indian Penal Code.

There is allegation in the written report that this petitioner
and other accused persons assaulted the informant with *Tengari, lathi,*
danda etc.

The injury report has been enclosed as Annexure-3 wherein
the Doctor has found one lacerated wound on the forehead of the
informant which is simple in nature.



It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Sonbarsa Raj P.S. Case No. 166 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, subject to the conditions as laid down under Section 438 (2) 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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