

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29741 of 2017

Arising Out of PS.Case No. -107 Year- 2017 Thana -CHAPRA TOWN District- SARAN

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1. Rahul Kumar,
2. Chandan Kumar @ Chainij
Both are sons of Sri Kant Prasad @ Srikant Halwai, both are residents of
Mohalla- Sahebganj Sonarpatti, Police Station- Chapra Town, District-
Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Advocate.
For the Opposite Party/s : Mr. Madhuranand Jha, 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 Chapra Town
P.S. Case No. 107 of 2017 instituted for the offence under
Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal
Code.

Learned counsel for the petitioners has submitted that a
complaint case against the informant has been filed by the father
of these petitioners vide Complaint Case No. 835 of 2017 that the
informant along with three persons came to the shop of the father
of the petitioners on the day of Holi and did not pay the money of
the sweets and Nashta etc. In retaliation, the instant case has been



filed by the informant.

As per written report, on the date of occurrence, when the informant had gone to the shop of the petitioners, then altercation took place on account of applying colour on the occasion of Holi and, thereafter, the petitioners caused stab injury on the person of the informant.

The injury report has been enclosed as Annexure-2 which shows that all the injuries have been caused by hard and blunt substance. In the injury report the Doctor has found injury No. 1 is sharp cutting and injury Nos. 2 and 3 was caused by hard and blunt substance.

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 Chapra Town P.S. Case No. 107 of 2017, 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, Saran at Chapra, 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.

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(Sanjay Priya, J)

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