

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32164 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -AWADPUR District- KATIHAR

- =====
1. Yadav Das, son of Anil Das
 2. Bhadru Das, son of Yadav Das
- All are residents of village Chhoghra, P.S. Abadpur, Distt. Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda, Advocate
For the Opposite Party/s : Smt Sangeeta Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Abadpur P.S.
Case No. 60 of 2017 instituted for the offence under Sections 147, 148,
341, 323, 307,504 and 379 of the Indian Penal Code.

There is allegation against the petitioner No. 1 that he assaulted the informant by sickle and petitioner No. 2 assaulted the informant with *lathi* on his head. The injury report has been enclosed as Annexure-3 wherein the doctor has found simple injury on the person of the informant. The doctor has not given any opinion with regard to the nature of weapon used for assaulting the informant.

It has been submitted that the informant Mangal Chandra Das @ Mangal Das abused one Kalyani Das (aunt of the petitioner No. 1) while she was returning from Manika Pond and attempted to outrage her modesty. The daughter-in-law of Kalyani Das came on *hulla*, then



accused persons also misbehaved with her for which Kalyani Das has registered Abadpur P.S. Case No. 61 of 2017 against the informant and other persons.

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 Abadpur P.S. Case No. 60 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 Judicial Magistrate, 1st Class, Katihar, 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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