

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32442 of 2017

Arising Out of PS.Case No. -225 Year- 2016 Thana -PATNA CITY CHOWK District- PATNA

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1. Binda Rai, S/o Late Babu Lal Rai
2. Yaan Kumar, S/o Binda Rai
Both are residents of Mohalla Rikabganj, P.S. - Malsalami, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate.
For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Chowk P.S. Case No. 225 of 2016 instituted for the offence under Sections 147, 148, 149, 341, 323, 504, 325 and 307 of the Indian Penal Code.

It has been submitted that petitioner has clean antecedent. The injuries suffered by both the injured were simple in nature.

The injury report has been enclosed as Annexure 2 wherein the Doctor has found simple injury on the person of both the injured. The allegation against the petitioners is that they along with 40-50 other persons abused the informant and assaulted him. It is further alleged that son of Binda Rai assaulted the informant on head with cycle chain. He also assaulted the cousin brother of the informant.

From the injury report it appears that the injury on the person of both the injured were simple in nature.



It is mentioned in paragraph-3 of the bail petition that petitioners have 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 Chowk P.S. Case No. 225 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 Sri Sushant Rajdeo, Judicial Magistrate, 1st Class, Patna, 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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