

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34592 of 2017

Arising Out of PS.Case No. -1003 Year- 2016 Thana -BANKA District- BANKA

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1. Lakhan Das , S/o Binod Das @ Binda Das,
2. Tuntun Das @ Tunna @ Tunma, S/o Babulal Das, Both R/o Village-
Mahesadih, P.S.- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Niwas Singh

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-07-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Banka P.S. Case No. 1003 of 2016 instituted for the offence under Sections-354, 379 & other minor Sections of the Indian Penal Code.

As per written report, on the order of petitioner No. 2, petitioner No. 1 torn blouse and Sari of the informant, who became naked and also, assaulted with the iron rod and Danda. When the informant's son came to rescue her, he was also assaulted.

From the impugned order, it appears that there is no injury on the person of the injured which is mentioned in the written report itself. The occurrence took place on account of destroying the crops of the informant by cattle of the petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner 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 Banka P.S. Case No. 1003 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka 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) 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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