**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Miscellaneous No.39794 of 2017**

Arising Out of PS.Case No. -211 Year- 2017 Thana -PARWATTA District- KHAGARIA

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1. Md. Unish Baitha,
2. Md. Ansari Baitha,

Both sons of Md. Ishak Baitha,

3. Kamo Khatoon, wife of Md. Ishak Baitha,

All resident of Village- Mojahida, P.S.- Parbatta, District- Khagaria.

.... .... 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 : Mr. Narsingh Tanti, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**
ORAL ORDER

3 05-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Parbatta P.S. Case No. 211 of 2017 instituted for the offence under Sections 341, 323, 313, 504, 506 and 34 of the Indian Penal Code.

It is alleged that accused persons assaulted the informant and his wife with *lathi* and *danda*.

The injury report of the informant and his wife is annexed as Annexure-2 series wherein the Doctor has found the injuries caused by hard and blunt substance.

Learned counsel for the petitioners has submitted that compromise has already been taken place between the parties and

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a compromise petition has been filed in the court below.

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 Parbatta P.S. Case No. 211 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, Khagaria, 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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