

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52850 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -HASANPUR District- SAMASTIPUR

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1. Narsing Das son of Krishna Das
2. Chotu Das @ Chotu Kumar S/o Krishna Das both residents of village -
Hasanpur Bajar, P.S. Hasanpur, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the State : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Hasanpur P.S. Case No. 60 of 2017 instituted for the offence under Sections-389, 354 & other minor Sections of the Indian Penal Code.

It has been submitted that there is general and omnibus allegation against this petitioners. The wife of the petitioner No. 1 has filed Hasanpur P.S. Case No. 106 of 2014 against the informant and others.

The instant case is a counter blast of the aforesaid case. It has further been submitted that niece of the present informant has filed another case with similar allegation against these petitioners and others vide Hasanpur P.S. Case No. 61 of 2017 in which, both petitioners have been granted anticipatory bail by a coordinate bench of this court vide order dated 02-11-2017 passed in Cr. Misc. No. 51155 of 2017.



The injury report of both the injured in the instant case has been enclosed as Annexure-3 from which it appears that husband of the informant sustained simple injury and opinion with regard to the injury sustained by wife of the informant has been kept reserved.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners 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 Hasanpur P.S. Case No. 60 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-III, Rosera, Samastipur subject to condition as laid down u/S 438(2) of the 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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