

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41083 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Vidya Bin @ Bidayan Bin son of Jagranath Bin
 2. Satyendra Bin son of Jagranath Bin
 3. Jai Kishore Bin son of Jagranath Bin
 4. Brij Kishore Bin son of Jagranath Bin
 5. Birbal Bin son of Jagranath Bin
 6. Shanti Devi wife of Kishor Bin
 7. Rina Devi wife of Vidya Bin
 8. Shobha Devi wife of Satyendra Bin
 9. Kanti Devi wife of Kishor Prasad All residents of Village - Haradia (Chamanpura), P.S. - Baikunthpur, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Baikunthpur P.S. Case No. 98 of 2017 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

It has been submitted that an altercation took place on the issue of throwing garbage and other small dispute. The counter case has also been filed for the same occurrence. The petitioner No. 9 has filed counter case bearing Baikunthpur P.S. Case No. 99 of 2017.

In the FIR, it is alleged that all these petitioners abused the informant and in the meantime, Jai Kishore Bind and petitioner Nos. 3 & 4 assaulted the informant with Dab and Farsa with intention to kill.



The injury report of the informant is annexed as Annexure-2 to this petition wherein the doctor has found lacerated wound muscle deep on left side of forehead of the informant and the opinion was kept reserved.

From the nature of injury, it appears that both the injuries were lacerated wound.

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 in Baikunthpur P.S. Case No. 98 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-III, Gopalganj 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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