

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49753 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

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1. Pintu Kumar Singh, S/o Late Naval Kishor Singh,
2. Suraj Kumar, S/o Pintu Kumar Singh, Both are resident of Village-
Badhahiya Dani Tola Ward No.11, P.S.- Badhahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jainendra Kumar

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Barahiya P.S. Case No. 149 of 2016 instituted for the offence under Sections-385, 379, 452 & other minor Sections of the Indian Penal Code.

As per written report, petitioner No. 2 assaulted the brother of the informant on head with Lathi and Katta. It is further alleged that petitioner No. 1 assaulted the brother of the informant with farsa causing injury in his right shoulder and also swelling in his eye.

The injury report of brother of the informant is enclosed as Annexure-2 to this petition wherein the doctor has found all the injuries to be simple in nature.

It has been submitted that the informant and petitioners are Gotiyas and due to local dispute, the case has been lodged.

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 Barahiya P.S. Case No. 149 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate, Lakhisarai 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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