

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56873 of 2017

Arising Out of PS.Case No. -55 Year- 2017 Thana -BALIGAON District- VAISHALI(HAJIPUR)

1. Sanjay Sah,
2. Dhananjay Sah, both son of Satya Narayan Sah, resident of Village-
Akhtiyarpurdoghra, P.S.- Baligaon, Dist.- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

With

Criminal Miscellaneous No.60125 of 2017

Arising Out of PS.Case No. -55 Year- 2017 Thana -BALIGAON District- VAISHALI(HAJIPUR)

1. Arvind Kumar, S/o Sh. Raju Prasad Gupta, R/o Village- and Post -
Bhartipur, Ghanipur, P.S.- Baligam, District- Vaishali , Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.56873 of 2017)

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Smt. Renuka Ratnakar, APP

(In Cr.Misc. No.60125 of 2017)

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3/ 19-12-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Baligaon P.S.**

Case No.55 of 2017 instituted for the offence under Section(s)

307 and other allied sections of the Indian Penal Code, section 27

of the Arms Act, sections 5 and 6 of the ESM Act.

It has been submitted that petitioner no.2 of Cr.



Misc. No.56873 of 2017 and petitioner of Cr. Misc. No.60125 of 2017 were only members of unlawful assembly. Allegation against petitioner no.1 of Cr. Misc. No.56873 of 2017 is that he assaulted Officer-in-charge Lalan Pd. Choudhary with hockey stick.

Case diary has been received in which Injury Report is available. Doctor has found simple injury on the person of the injured.

In the written report, it is mentioned that due to death of Anil Kumar, mob had blocked the public road and was making agitation.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Baligaon P.S. Case No.55 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, XII, Vaishali at Hajipur**, 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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