

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58547 of 2017

Arising Out of PS.Case No. -57 Year- 2015 Thana -DHOLBAJJA District- BHAGALPUR

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1. Kumod Yadav,
2. Bihari Yadav,
3. Sohit Yadav @ Rohit Yadav All Sons are Late Naresh Yadav, All of R/o
Village- Tola Dholbajja, P.S.- Dholbajja @ Dholbajza, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Dholbajja P.S. Case No. 57 of 2015 instituted for the offence under Sections-307, 379, 427 & other minor Sections of the Indian Penal Code.

There is case and counter case between the parties. The co-accused Bihari Yadav has filed a case bearing Dholbajja P.S. Case No. 58 of 2015 against the husband of the informant and others.

In the instant case, there is allegation that the petitioner No. 1 assaulted mother in law of the informant with Lathi wherein petitioner Nos. 2 & 3 assaulted the informant with iron rod.

The injury report of both the injured have been annexed as Annexure-2 series and the doctor has found the injury on the person of the injured to be simple in nature.



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 Dhojbajja P.S. Case No. 57 of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Naaugachia, Bhagalpur 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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