

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55690 of 2017

Arising Out of PS.Case No. -66 Year- 2017 Thana -SIMRIBAZAR District- DARBHANGA

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1. Vishnudev Yadav, S/o Bihari Yadav,
2. Mahesh Yadav S/o Ram Nandan Yadav, Both R/o Village- Sabaul, P.S.-
Simri, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Simri P.S. Case No. 66/2017 instituted for the offence under Sections 147, 148, 149, 323, 324, 307 and 504 of the Indian Penal Code.

There is allegation against petitioner no. 1 of assaulting the father of the informant with Farsa on his head. Petitioner no. 2 is alleged to have given Farsa blow to the informant.

Counsel for the petitioners has submitted that there is case and counter case between the parties. One Sitaram Rai Gotia of petitioners has filed Simri P.S. Case No. 67/2017 against the informant and others. The injury report of the informant and his father is annexed at Annexure -3 series. The doctor has also found the injuries to be simple in nature.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners are allowed. In the event of surrender/arrest of the petitioners named above, within six weeks from today, in connection with Simri P.S. Case No. 66/2017, they shall be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, subject to the conditions as laid down under Section 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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