

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62357 of 2017

Arising Out of PS.Case No. -80 Year- 2017 Thana -BHARGAWAN District- ARRARIA

- =====
1. Arun Kumar Pandey, son of late Shreenandan Pandey
 2. Birendra Kumar Pandey @ Biendra Pandey, son of late Shreenandan Pandey
 3. Lalan Pandey @ Lalan Kumar Pandey, son of late Shreenandan Pandey
 4. Arbind Pandey @ Arbind Kumar Pandey, son of late Shreenandan Pandey.
 5. Rinku Pandey @ Rinku Kumar Pandey, son of Birendra Pandey @ Birendra Kumar Pandey.

All resident of village Paikpar, Ward No. 6, P.S. Bhargama, Distt. Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Bhargama P.S**

Case No.80 of 2017 instituted for the offence under Sections 147, 149, 341, 323, 307 and 504 of the Indian Penal Code.

It has been submitted that there is case and counter case between the parties. The petitioner No. 1 has filed Bhargama P.S. Case No. 79 of 2017 against the informant and others in which petitioner Nos. 2 and 3 have sustained grievous injuries and other six persons including petitioner Nos. 1, 4 and 5 have sustained simple injuries. In the instant case there is allegation that all the accused persons assaulted the informant and his other family members.

The injury report of the person injured in the instant case



has been enclosed as Annexure-4 series from which it appears that all the injuries were found to be simple in nature.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Bhargama P.S. Case No. 80 of 2017**, they shall be released 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 **learned Chief Judicial Magistrate, Araria**, 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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