

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62333 of 2017

Arising Out of PS.Case No. -372 Year- 2016 Thana -NAUBATPUR District- PATNA

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1. Bijay Paswan @ Vijay Paswan, son of Hriday Paswan
2. Munna Kumar, son of Bijay Paswan @ Vijay Paswan
3. Mithu Kumar, son of Bijay Paswan @ Vijay Paswan

All residents of village - Jamalpur, P.S. Naubatpur, Dist - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Binay Krishna, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Naubatpur P.S. Case No. 372 of 2016** instituted for the offence under Sections 307/34 of the Indian Penal Code.

It has been submitted that there is case and counter case between the parties. The injuries have been sustained by both sides. It has further been submitted that petitioner No. 1 has filed Naubatpur P.S. Case No. 373 of 2016 against the informant and others.

In the instant case there is allegation that all the accused persons assaulted the informant causing injury on his



head.

The Sessions Judge has mentioned in the impugned order regarding injury report which is mentioned in paragraph-30 of the case diary wherein the Doctor has found stitch wound measuring 3 ½” over the head of the informant and for final opinion, the patient was referred to Medical Officer.

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 **Naubatpur P.S. Case No. 372 of 2016**, 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 Additional Chief Judicial Magistrate-II, Danapur, Patna**, 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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