

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58031 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -HATHAURI District- SAMASTIPUR

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1. Raja Babu Mandal, Son of Tejo Mandal,
2. Sita Devi, Wife of Tejo Mandal.
3. Sanjeet Kumar, Son of Tejo Mandal.
4. Tejo Mandal, Son of Late Khakhar Mandal.
5. Ranjeet Kumar, Son of Tejo Mandal. All Resident of Village- Ramoul,
P.S.- Hathauri, District- Samastipur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Hathauri (Shivaji Nagar O.P.) P.S. Case No. 52 of 2017 instituted for the offence under Section-307 & other minor Sections of the Indian Penal Code.

It has been submitted that there is case and counter case between the parties. The injury has been sustained from both sides. The petitioner No. 2 has lodged Hathauri P.S. Case No. 51 of 2017 against the informant and others. The instant case is counter blast of the aforesaid case.

In the written report, there is allegation against petitioner No. 4 of assaulting the informant with Khanti on the head. The allegation against petitioner No. 2 is of assaulting with bricks to Ram



Suchit Mandal.

The injury reports of both the injured have been annexed as Annexure-4 to this petition wherein the doctor has found the injuries on the persons of 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 Hathauri (Shivaji Nagar O.P.) P.S. Case No. 52 of 2017 to the satisfaction of Additional learned Chief Judicial Magistrate-II, Rosera, Samastipur 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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