

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48614 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -SAKRA District- MUZAFFARPUR

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1. Nikki Kumar, S/o Late Bipin Jha, Nill
2. Avinash Kumar @ Fuchcha, S/o Mahrudra Mishra, Both R/o Village-
Mahmadpur Shivram, P.S.- Sakra, District- Muzaffarpur.
3. Sushil Singh @ Sushil Kumar Singh, S/o Krishna Nandan Singh, R/o
Village- Manika, P.S.- Mushahari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-10-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Sakra P.S. Case No. 05
of 2017 instituted for the offence under Sections-307, 384, 387 & other
minor Sections of the Indian Penal Code.

There is no specific allegation against petitioner Nos. 1 & 3
and allegation against petitioner No. 2 is that he assaulted the informant
with butt of pistol.

The learned Sessions Judge has mentioned in the impugned
order that two wounds were found on the head of the informant but
nature of injury has not been described.

It has submitted that the informant has sustained simple
injury.

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 Sakra P.S. Case No. 05 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Spl. Judge 13th, Muzaffarpur 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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