

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26732 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -RASULPUR District- SARAN

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1. Suraj Prasad son of Late Bishwanath Prasad
2. Prakash Prasad son of Suraj Prasad
3. Jyoti Kumari daughter of Suraj Prasad
4. Raushni Kumari daughter of Suraj Prasad
5. Chanda Devi wife of Suraj Prasad All are residents of Village - Asahani,
Police Station - Rasulpur, District - Saran.
.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhushan Prasad Sinha

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioners and
learned Addl. Public Prosecutor for the State.

The petitioners apprehend their arrest in Rasulpur P.S.
Case No. 35 of 2017 instituted for the offence under Sections-307,
379 & other minor sections of the Indian Penal Code.

As per written report, all these petitioners assaulted the
informant and his brother Brajesh Pandey when the informant
continued to carry husk in spite of objection by the petitioners.

The injury report of both injured has been annexed. The
doctor opined that all the injuries found on the person of injured
was simple in nature. One of the injuries on the forehead has been
said to be grievous in nature because it leaves permanent scar.

From perusal of the injury report, it appears that there is



no repetition of blows. There is no specific allegation against any of these petitioners of causing injury.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above in the event of their arrest/surrender in the court below within six weeks from today shall be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each in connection with Rasulpur P.S. Case No. 35 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-X, Saran at Chapra subject to conditions 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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