

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32082 of 2017

Arising Out of PS.Case No. -937 Year- 2016 Thana -SAHARSA District- SAHARSA

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1. KARI SHASRMA @ KARI SHARMA, son of late Nand Ram Sharma,
 2. Pirbat Sharma, son of Gosai Sutihar,
 3. Kokai Yadav, son of late Sukhai Yadav, all resident of village- Baijnath Patti, Ward No.13, Tola Baluaha, P.S.- Saharsa, District- Saharsa.
- Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhan Chandra Jha, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 24-08-2017

Heard learned counsel for the Petitioners and learned

APP for State.

Petitioners apprehend their arrest in Saharsa P.S.

Case No.937 of 2016 instituted for the offence under Section(s)
147, 148, 149, 341, 323, 307, 379, 504 Indian Penal Code.

As per allegation, there is specific allegation against co-accused, Ganeshi Yadav, of giving *Dabiya* blow on the head of the informant causing bleeding injury. There is general and omnibus allegation against these petitioners of assaulting the brothers of the informant, namely, Dinesh Yadav and Umesh Yadav, when they came to save the informant.

Injury report of Dinesh Yadav and Umesh Yadav shows that all the injuries were simple in nature.



Counsel for the petitioners has submitted that there is counter case also registered on the *fard-e-beyan* of Sanjay Yadav vide Saharsa P.S. Case No.938 of 2016.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Saharsa P.S. Case No.937 of 2016, they shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, 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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