

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41289 of 2017

Arising Out of PS.Case No. -201 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

- =====
1. Kari Lal Mehta, son of late Kedar Mehta
 2. Nirmala Devi, wife of Kari Lal Mehta
 3. Jyoti Devi @ Jyoti Kumari, wife of Vijay Mehta
- All residents of Village - Baijnathpur, P.S.- Sour Bazar, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Rajeev Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Sour Bazar P.S.

Case No. 201 of 2017 instituted for the offence under Sections 341, 323, 324, 307, 379, 504, 354 and 506/34 of the Indian Penal Code.

It has been submitted that there is case and counter case between the parties. For the same occurrence, petitioner No. 2 namely Nirmala Devi, has lodged First Information Report on the same day vide Sour Bazar P.S. Case No. 202 of 2017 against the informant, his wife and other family members. In the instant case, there is allegation against petitioner No. 1 that he assaulted the informant with spade (*kudal*). There is general and omnibus allegation against petitioner No.

2.

The learned Sessions Judge has mentioned in the



impugned order that the injury found on the person of the informant is simple in nature caused by hard and blunt substance.

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 Sour Bazar P.S. Case No. 201 of 2017, 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 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.

S.Ali/-

(Sanjay Priya, J)

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