

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39730 of 2017

Arising Out of PS.Case No. -376 Year- 2016 Thana -FATUHA District- PATNA

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1. Raj Wallam Singh @ Raj Walam Singh S/o Shri Baleshwar Singh
2. Shivmata Devi W/o Shri Baleshwar Singh
3. Jitendra Singh @ Jitendra Kumar S/o Shir Baleshwar Singh All Residents
of Village- Thegua, P.S. Fatuha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-09-2017 Counsel for the petitioners is permitted to make necessary
correction in the name of husband of petitioner No. 2 and father of
petitioner No. 3 in course of the day.

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Fatuha P.S. Case No.
376 of 2016 instituted for the offence under Sections-325, 307, 379 &
other minor Sections of the Indian Penal Code.

It is alleged in the written report that the petitioner No. 3
assaulted the wife of the informant with lathi. The injury report has
been annexed as Annexure-2 to this petition wherein the doctor has
found one lacerated wound on middle part of scalp caused by hard and
blunt substance. The injuries are simple in nature. There is no any other
allegation of overt act against the petitioners. It is mentioned in the



written report itself, that an altercation has taken place because of dispute between the family members of the house.

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 Fatuha P.S. Case No. 376 of 2016 to the satisfaction of Sri J. Jameel, learned Judicial Magistrate, Patna City 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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