

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46853 of 2017

Arising Out of PS.Case No. -222 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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1. Raju Mandal, Son of Mahendra Mandal,
2. Kanhiya Mandal @ Kanhiya Kumar, Son of Mahendra Mandal, Both are
resident of Village- Rannuchak, P.S. Nath Nagar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-10-2017 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307, 504, 506, 325/34 of the Indian Penal Code.

It is alleged that on the order of petitioner no.2, petitioner no.1 assaulted the informant with axe (Kulhari) on his head. Injury report (Annexure 2) shows only one lacerated wound and the opinion was kept reserved. There is no repetition of blow.

Considering the aforesaid facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. Let the above named petitioners, in the event of their arrest/surrender in the court below within a period of six weeks from today, be released on 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 Additional Chief Judicial Magistrate-1st, Bhagalpur in Nath Nagar P.S. Case No.222 of 2017, subject to the conditions as laid down u/s 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 bonds of the petitioners and (3) if petitioners tamper with the evidence or with 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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