

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33839 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -DHAMDHAHA District- PURNIA

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1. Jagdish Sah,
2. Manoj Sah, Son of Jagdish Sah,
3. Vinod Sah, Son of Jagdish Sah,
4. Raju Sah @ Raj Kumar, Son of Jagdish Sah,
5. Abren Sah, Son of Bishay Sah, All are Resident of Village- Saur Kahi,
P.S.- Dhamdaha, District- Purnea.
6. Prakash Kumar @ Prakash Sah, Son of Vijay Sah, R/o Village-
Lowalagan, P.S.- Chousa, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Dhamdaha P.S. Case No. 101 of 2017 instituted for the offence under Section-307 & other minor Sections of the Indian Penal Code.

It has been submitted that the present case is a counter version of Dhamdaha P.S. Case No. 100 of 2017, filed by petitioner No. 1 against the informant and others, in which, the petitioner No. 1 sustained head injury, caused by informant and others. In the instant case, there is general and omnibus allegation that all the petitioners assaulted the informant and his family members with Lathi, Danda causing injury to them.



The learned Sessions Judge has also mentioned in the impugned order that the doctor has found no grievous injury on the person of any of the injured.

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 Dhamdaha P.S. Case No. 101 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Purnea 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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