

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41568 of 2017

Arising Out of PS.Case No. -346 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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1. Md. Jafir, Son of Late Sikandar,
2. Birendra Yadav @ Birendra Yad @ Virendra Yadav,
3. Surendra Yadav, Both sons of Sukhdeo Yadav, All resident of Village-
Narhaiya, P.S.- Chhatapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Adv.
Mr. Arun Kumar Lal, Adv.
For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Chhatapur P.S. Case No. 346 of 2016 instituted for the offence under Sections-307, 354 & other minor Sections of the Indian Penal Code and 27 of the Arms Act.

It has been submitted that there is allegation against petitioner Nos. 2 & 3 that they made firing on account of which, the informant sustained injury near elbow of his right hand. There is further allegation against petitioner No. 1 that he tried to cut neck of the informant with sword. The informant fell down and both his hands near wrist got cut. It has also been submitted that the informant has got criminal antecedent and he tries to grab the land of others and Md. Zafir has filed Complaint Case No. 902 of 2015 against the informant and others which is pending.

The injury report of the informant has been annexed as Annexure-2 to this petition wherein, the doctor found seven injuries on his



person but none of the injuries has been caused by fire-arm. The doctor opined injury Nos. 1 to 7 were caused by hard and blunt substance. Injury Nos. 1,2,3,5 & 6 are simple in nature and injury No. 7 is grievous which was on right hand.

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 Chhatapur P.S. Case No. 346 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Supaul 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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