

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36619 of 2017

Arising Out of PS.Case No. -123 Year- 2017 Thana -KATEYA District- GOPALGANJ

=====

1. Sandeep Patel, Son of Puram Patel, R/o Village- Semaria, P.S.- Kateya, District- Gopalganj.
2. Sipahi Mishra @ Shatish Mishra @ Sipahi Kr. Mishra Son of Rameshwar Mishra, R/o Village- Semaria, P.S.- Kateya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-08-2017 Heard the parties.

The petitioners are apprehending their arrest in connection with Kateya P.S.Case No.123 of 2017, registered for offences punishable under Sections 341, 342, 323, 324, 307/34 of the Indian Penal Code.

Allegation against the petitioner no.1 is of stabbing the informant and the petitioner no.2 is facilitating the petitioner no.1 in stabbing.

Submission of the learned counsel for the petitioners is that earlier to filing of this case, a case had been lodged by the petitioners' side against the family members of the informant with respect to outrage the modesty of the sister of the petitioner and



further for assaulting the father of the petitioner on head by 'rod'. Further submission is that injury report is not available on the record.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, so far petitioner no.1 (Sandeep Patel) is concerned, I am not inclined to grant anticipatory bail to the petitioner no.1, as such, let the petitioner no.1 surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below.

So far petitioner no.2 (Sipahi Mishra @ Shatish Mishra @ Sipahi Kr. Mishra) is concerned, let the petitioner no.2, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. XV, Gopalganj in connection with Kateya P.S.Case No.123 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.



(iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

