

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47242 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -SAHJAHANPUR District- PATNA

=====

1. Munna Gope, aged about 36 Years Son of Shyamdeo Gope.
2. Shyamdeo Gope aged about 60 Years, Son of Late Hari Gope.
3. Munchun Gope aged about 30 Years, Son of Shyamdeo Gope.
All of Village- Shahjanhapur, P.S.- Shahjanhapur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Krishna Prasad Yadav, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Shahjahanpur P.S. Case No. 8 of 2017 instituted for the offence under Sections 448, 341, 323, 324, 307, 379 and 427/34 of the Indian Penal Code.

It has been submitted that petitioner No. 2 is full brother of the husband of the informant. There is land dispute between the parties. The instant case is a counter blast of Shahjahanpur P.S. Case No. 9 of 2017 filed by petitioner No. 1 (Munna Gope) against the informant and others.

As per written report, petitioner No. 2 is alleged to have assaulted the daughter of the informant.

The injury report of Rashmi Devi has been enclosed as Annexure-3 wherein the Doctor has found sharp edged cutting wound



over central parietal of scalp skin deep. The Doctor has opined that it seems to be grievous in nature. There is no injury sustained by any other members of the prosecution party.

In such circumstances, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Shahjahanpur P.S. Case No. 8 of 2017, they shall be released on anticipatory 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, Civil Court, Patna City, subject to the conditions as laid down under Section 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 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)

S.Ali/-

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

