

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50115 of 2017

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1. Janardhan Pandey @ Janardhan Pandey, S/o Late Ramchandra Pandey,
2. Rakesh Pandey,
3. Dharmesh Pandey
Both are Sons of Janardhan Pandey,
All are R/o Village- Bediban Madhuban, P.S.- Pipra, District- East
Champanan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Anish Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-10-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Pipra P.S.

Case No. 146 of 2017 instituted for the offence under Sections
341, 447, 323, 325, 307, 379, 504 and 506/34 of the Indian Penal
Code.

It has been submitted that the instant case is a counter
blast of Pipra P.S. Case No. 145 of 2017 lodged by son of
petitioner No. 1 against the informant and others. In the instant
case there is allegation that when the son of the informant had
gone to Sitakund Dham to offer Prasad and came out from the
temple after offering Prasad, the petitioners assaulted the



informant with fists and slap on account of which he became unconscious. It is further alleged that the accused persons also surrounded the informant and his brother.

The injury report of the informant has been enclosed as Annexure-2 series which shows that all the injuries sustained by the injured were found to be simple in nature except injury No. 1 caused on the person of Deepak Kumar Pandey to be grievous in nature caused by hard and blunt substance.

Learned counsel for the petitioner has also enclosed injury report sustained by the family members of the petitioners in Pipra P.S. Case No. 145 of 2017 and the same has been annexed as Annexure-4 series. In this manner, it appears that injuries have been sustained by both sides.

Considering the facts and circumstances of the case, 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 Pipra P.S. Case No. 146 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 Chief Judicial Magistrate, Motihari, East Champaran, 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)

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