

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48187 of 2017

Arising Out of PS.Case No. -159 Year- 2016 Thana -NAWADA MUFFASIL District- NAWADA
=====

1. Sunil Kumar
2. Reshmi Devi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.
=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Nawada Muffasil P.S.
Case No. 159 of 2016 instituted for the offence under Sections-379,
325, 307 & other minor Sections of the Indian Penal Code.

It has been submitted that both parties are Gotiyas and
occurrence has taken place on account of land dispute. Injuries have
been caused to both sides.

In the instant case, there is allegation against petitioner No.
1 that he assaulted the informant with Gadansa on her head but no such
injury was found on her person. The injury report is annexed as
Annexure-2 series which is at page 15 wherein the doctor has found
lacerated wound which is found to be simple caused by hard and blunt
object. There is no allegation of overt act against petitioner No. 2.

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 Nawada Muffasil P.S. Case No. 159 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Nawada 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)

A.K.V./-

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

