

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48825 of 2017

Arising Out of PS.Case No. -141 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

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1. Prabhash Malakar S/o Udhish Malakar

2. Birendra Malakar S/o Udish Malakar

Both Resident of Madhukarchak, Bihta Tola, P.S.- Bihariganj, District-
Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 17-11-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Bihariganj P.S. Case No. 141 of 2017, disclosing offences under Sections 447, 323, 324, 379 and 307/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that though there is allegation of assault made by *Farsa*, there is no injury report on record, as is evident from the order passed by the learned Sessions Judge, Madhepura, rejecting petitioners' application for anticipatory bail. He has



submitted that there is case and counter case between the parties in respect of the same occurrence.

Considering the submission, as above, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Judicial Magistrate, Ist Class, Udakishanganj, Madhepura**, in connection with **Bihariganj P.S. Case No. 141 of 2017**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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