

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39950 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -TANDWA District- AURANGABAD

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1. Ramuday Upadhyay Son of Late Brijnandan Upadhyay,
2. Ranjan Upadhyay Son of Ramuday Upadhyay Both resident of Village-
Upadhyay Bigha, P.S.- Tandwa, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-08-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Tandwa P.S. Case No. 26 of 2017 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

There is allegation in the written report that this petitioner with other accused persons on account of dispute for drainage assaulted the informant with Lathi, Danda. It is alleged against petitioner No. 2 that he took away golden chain of the informant.

Counsel for the petitioners has submitted that simple injury has been caused on the person of the injured.

From perusal of the impugned order, it appears that the injury is simple in nature.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his



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 Tandwa P.S. Case No. 26 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Aurangabad 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)

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