

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36938 of 2017

Arising Out of PS.Case No. -133 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

1. Suresh Das &
2. Chandrika Devi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Amrendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bihariganj P.S. Case No. 133 of 2016 instituted for the offence under Section-379 & other minor Sections of the Indian Penal Code.

It is alleged against the petitioner No.1 that he assaulted the husband of the informant on head with Khanti. Allegation against petitioner No. 2 is that he assaulted the informant with fist and slaps.

The case diary has been received wherein the injury report of the informant is available. The doctor has found two injuries; one lacerated wound at frontal region of scalp, which was opined to be simple in nature, caused by hard and blunt substance. The opinion regarding the injury No. 2 which is below left eye lid has been kept reserved.

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 Bihariganj P.S. Case No. 133 of 2016 to the satisfaction of Sri Pradeep Kumar Choudhary, learned Judicial Magistrate-Ist Class, Uda Kishunganj, Madhepura 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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