

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58034 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -KRITYANAND NAGAR District- PURNIA

- =====
1. DEB NARAIN MEHTA @ BOUWA @ BOUNA, son of Bachu Mehta,
 2. Ramdeo Mehta, son of Masudan Mehta @ Madhusudan Mehta, both resident of Gadia Balua, P.S. K. Nagar, District- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 20-12-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **K. Nagar P.S.**

Case No.37 of 2017 instituted for the offence under Section(s)

341, 323, 324, 307, 379, 502, 506/34 Indian Penal Code.

There is allegation against petitioner no.1 of assaulting the informant, Pintu Kumar, with *Dabiya* on the head causing bleeding injury.

Injury report of the informant and other injured are annexed as Annexure-4 series, wherein, doctor has found injury on the head of the informant, which is grievous in nature. On CT scan, doctor has found fracture of right frontal bone.

Counsel for the petitioners has submitted that, now, compromise has taken place between the parties.



Since grievous injury has been caused to the informant due to assault by petitioner no.1, this Court is not inclined to extend the privilege of anticipatory bail to petitioner no.1.

Accordingly, prayer of the petitioner no.1 for grant of anticipatory bail is **rejected**.

So far petitioner no.2 is concerned, there is no allegation of any specific overt act against him.

In the facts and circumstances of the case, prayer of the petitioner no.2 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the **petitioner no.2, named above**, within six weeks from today in connection with **K. Nagar P.S. Case No.37 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Purnea**, 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.

JA/-

(Sanjay Priya, J)

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

