

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47519 of 2017

Arising Out of PS.Case No. -187 Year- 2017 Thana -CHAPRA MUFFASIL District- SARAN

- =====
1. Hawaldar Singh, Son of Sheo Lakhan Singh,
 2. Mantu Singh @ Awadhesh Kumar Singh
 3. Santu Singh Both are Sons Hawaldar Singh, R/o Village- Khalpura, P.S.- Chapra Muffasil, District- Saran at Chapra.
 4. Upendra Singh Son of Keshav Singh, R/o Village- Narayangadh , P.S.- Bariya , District- Balia (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-10-2017 Heard learned counsel for the petitioners and the State.

At the very outset, it has been submitted that petitioner No. 3 namely Santu Singh has been arrested during pendency of this application.

Accordingly, prayer for anticipatory bail of petitioner No. 3 is dismissed being infructuous.

So far as rest three petitioners are concerned; they apprehend arrest in Chapra Muffasil P.S. Case No. 187 of 2017 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

It has been submitted that there is case and counter case between the parties. The petitioner No. 1 has also filed a case bearing C. No. 2048 of 2017 against the informant and others.

In the instant case, there is allegation against petitioner No.



3 Santu Singh of assaulting the informant on neck with Farsa. There is general and omnibus allegation against other petitioners.

The injury report of the injured has been annexed with this petition which shows that injury sustained by the informant is simple in nature.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner Nos. 1, 2 & 4 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 Chapra Muffasil P.S. Case No. 187 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra 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) petitioner Nos. 1, 2 & 4 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 petitioner Nos. 1, 2 & 4 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 petitioner . Nos. 1, 2 & 4.

(Sanjay Priya, J)

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