

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.57483 of 2017**

Arising Out of PS.Case No. -138 Year- 2017 Thana -MANJHI District- SARAN

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1. Deena Sah @ Deenanath Sah, S/o Late Hari Sah,  
2. Sanoj Sah, S/o Deena Sah @ Deenanath Sah,  
Both R/o Village- Chakaji, P.S.- Manjhi, District- Saran at Chapra.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate.

For the Opposite Party/s : Mr. Nityanand, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      07-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Manjhi P.S.**

**Case No. 138 of 2017** instituted for the offence under Sections 341, 323, 324, 379, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that allegation against petitioner No. 1 is of assaulting the informant with farsa on his head and petitioner No. 2 is of assaulting the son of the informant with iron rod on his head. It has further been submitted that police after investigation submitted charge sheet for the offence under Sections 341, 323, 324. 379, 504 and 34 of the Indian Penal Code.

The learned Sessions Judge has mentioned about injury in the impugned order that he found two injuries on the person of the injured. The Sessions Judge has not mentioned about nature of injury. Therefore, it is apparent that the injury was simple in nature.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Manjhi P.S. Case No. 138 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, Vth, Saran at Chapra**, 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.

**(Sanjay Priya, J)**

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