

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8973 of 2018

Arising Out of PS.Case No. -390 Year- 2017 Thana -BARACHATTI District- GAYA

- =====
1. Nitu Devi, w/o Ram Chandra Vishwakarma @ Rupchand Mistri.
 2. Vibha Devi, w/o Rajesh Vishwakarma,
 3. Rajesh Vishwakarma, s/o late Babulal Vishwakarma,
 4. Deena Nath Vishwakarma @ Dinanath Mistri, s/o late Babulal Vishwakarma,
- All r/o village- Darbar, P.S.- Barachatty, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate.

For the Opposite Party/s : Smt. Veena Rani Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-03-2018

Heard learned counsel for the petitioners and the State.

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

Case No. 390 of 2017 instituted for the offence under Sections 341, 323, 308, 504 and 379/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that allegation against petitioner No. 4 is of assaulting the informant with iron rod causing injury to her and she became unconscious. There is general and omnibus allegation against petitioner Nos. 1, 2 and 3 of assaulting the informant with legs and fists etc.

The injury report of the informant has been enclosed as Annexure-2 wherein the doctor has found one stitched wound on the forehead measuring 2 cm x ? x ? In the injury report the Doctor has



mentioned that no opinion can be given as the wound was stitched by local practitioner and extent of wound could not be judged.

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 **Barachatty P.S. Case No. 390 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, Sherghati, Gaya**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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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