

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43601 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- PANDARAK District- Patna

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1. Mahesh Yadav @ Mahesh Rai Son of Ram Brij Rai
 2. Vikash Kumar @ Vikash Kumar Rai
 3. Ravi Kumar
 4. Binay Kumar @ Binay Kumar Ray All Sons of Mahesh Yadav @ Mahesh Rai All Residents of Village : Kondi, P.S. Pandarak, District : Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-07-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

Petitioners apprehend their arrest in Pandarak P.S. case no. 26 of 2018 instituted for the offence under Section(s) 323, 325 and 387/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is no any specific allegation of assault attributed to any of the accused persons. Referring to the injury report of the informant which has been annexed as Annexure-2 to the bail petition, it is further pointed out that injury found on the person of the informant is simple in nature. From the written report itself it is apparent that there was some dispute over payment



of amount of tractor between the informant and petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Pandarak P.S. case no. 26 of 2018, 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 the ACJM-1 Barh, Patna, 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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