

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44296 of 2018

Arising Out of P.S.C.ase No. -42 Year- 2018 Thana -GOGRI District- KHAGARIA

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1. Sanni Dewal S/o Maheshwar Paswan,
2. Neelam Devi W/o Maheshwar Paswan, R/o Vill.- Dukha Tola P.S.-
Gogari, Distt.- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad, Advocate

For the Opposite Party/s : Smt. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Gogari P.S.
Case No. 42/2018, instituted for the offence punishable under
Sections 341, 323, 324, 307, 384 and 379/34 of the Indian Penal
Code.

Learned counsel for the petitioners has submitted that
the occurrence has taken place due to land dispute. There is general
and omnibus allegation against the petitioners of assaulting the
informant and his family members. The injury report has been
enclosed as Annexure- 3 (series) which shows that the opinion with
regard to injuries of Jina Kumari and Manisha Kumari has been kept
reserved and injury of one of the injured, namely, Prashant Kumar, is



found to be simple in nature. There is counter case also filed by Petitioner No. 2, Neelam Devi vide Gogri P.S. Case No. 43/2018 against the informant and others.

Considering the facts and circumstances of the case, the 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 Gogari P.S. Case No. 42/2018, 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 learned Chief Judicial Magistrate, Khagaria, subject to the conditions as laid down under Section 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) 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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