

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11325 of 2018

Arising Out of PS.Case No. -279 Year- 2017 Thana -HISUA District- NAWADA

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1. Deepak Kumar Sao @ Deepak Kumar, son of Moti Sao,
 2. Keshaw Kumar, son of Vipin Sao,
 3. Moti Sao, son of late Ramdhani Sao, all resident of Ward No.13, Par Hatia, Nintar Hisua, P.S.-Hisua, District-Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2/ 27-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Hisua P.S.**

Case No.279 of 2017 instituted for the offence under Section(s)

341, 323, 307, 379, 504 Indian Penal Code.

Counsel for the petitioners has submitted that wife of petitioner no.3 has filed Hisua P.S. Case No.268 of 2017 for the occurrence of 30.11.2017 on which date the informant along with other co-accused was trying to construct wall in the land belonging to the petitioners, which was opposed by her then all the accused including the informant assaulted her. It is stated that informant of instant case assaulted petitioner no.1 on the head causing injury to him. Injury report of the petitioner no.1, 3 and wife of petitioner no.3 has been annexed as Annexure-4, 5 and 6.



In the instant case, there is allegation against the petitioner no.1 of assaulting with *lathi*. There is general and omnibus allegation against petitioner nos.2 and 3. Injury report of the informant is annexed as Annexure-2.

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 **Hisua P.S. Case No.279 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 the **Chief Judicial Magistrate, Nawada**, 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 bonds 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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