

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2921 of 2018

Arising Out of PS.Case No. -248 Year- 2017 Thana -MASRAKH District- SARAN

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1. Ganga Ram S/o Late Muni Ram,
2. Baharan Ram, S/o Late Jamuna Ram, Both are R/o Village- Mashrak Ben Chapra, P.S.- Mashrak, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Mashrak P.S. Case No. 248 of 2017 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

It has been submitted that there is specific allegation in the written report against Satyendra Ram and Jitendra Ram of assaulting the informant with iron rod on head. There is allegation against these petitioners of assaulting the informant with Lathi and Hathauri causing injury to him. Counsel for the petitioners has further submitted that on 13-09-2017, the informant with other persons have assaulted petitioner No. 1 for which, Mashrak P.S. Case No. 230 of 2017 was registered by petitioner No. 1, who received grievous injury in that occurrence and he was referred to



PMCH, Patna from where, he was discharged on 11-9-2017.

The injury report of the informant has been enclosed as Annexure-4 at page 25 wherein the doctor has found only one lacerated wound on left side of occipital region of scalp and the opinion was kept reserved. The doctor has found other injuries to be simple in nature besides one bruise on left side of forehead extending to scalp and opinion, in respect of that was also kept reserved.

In the written report, there is specific allegation of assaulting the informant against Satyendra Ram and Jitendra Ram.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Mashrak P.S. Case No. 248 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Saran subject to condition as laid down u/S 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 liable to 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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