

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12990 of 2018

Arising Out of PS.Case No. -89 Year- 2017 Thana -JANKINAGAR District- PURNIA

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1. RUPESH KUMAR @ RUPESH KUMAR YADAV, Son of Rajo Yadav,
2. Mithilesh Kumar, Son of Rajo Yadav, Both resident of Village-
Chandpur Bhangha, P.S.- Janki Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-04-2018 The petitioners are apprehending their arrest in connection with Janki Nagar P.S. Case No. 89 of 2017, registered for offences punishable under Sections 341, 323, 324, 307, 379, 354, 504 and 506 of the Indian Penal Code.

Allegation against the petitioner no. 1 is of assault on the informant on his head by means of iron rod, which hit his hand and allegation against petitioner no. 2 is of assault on head of informant causing injury to him.

It has been submitted on behalf of the petitioners that there is case and counter case between the parties and all the injuries are simple in nature except on injury.

Heard learned A.P.P. also.

Having heard both sides, so far petitioner no. 1, is



concerned the facts and circumstances and nature of allegation, let petitioner no. 1, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Purnea, in connection with Janki Nagar P.S. Case No. 89 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

So far petitioner no. 2 is concerned, considering the fact that



there is allegation of causing grievous injury to informant, I am not inclined to grant the privilege of anticipatory bail to appellant no. 2.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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