

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9928 of 2018

Arising Out of PS. Case No.-105 Year-2017 Thana- DALSINGHSARAI District- Samastipur

1. Prakash Kumar Jha, Son of Yoganand Jha,
2. Pintu Jha, Son of Yoganand Jha, Both resident of Village-Sultanpur Ghatho, P.S.- Ghatho, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar
For the Opposite Party/s : Mr. SRI RAJBALLABH SINGH

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Dalsingsarai
(Ghatho) PS case no. 105 of 2017 instituted for the offence
under Section(s) 448, 341, 323, 324, 307, 379, 504, and 506/34
of the Indian Penal Code and Section 8 of the POCSO Act.

Allegation against the petitioner no.2 is that he assaulted
the father-in-law of the informant with farsa on the head. There
is no allegation of overt act against petitioner no.1. The injury
report of father-in-law and informant has been annexed as



Annexure 3 to the bail petition wherein the doctor has found lacerated wound about 6 cm in parietal scalp (superficial) which is opined to be simple in nature . It has further been submitted that petitioner no.2 is living in Mumbai and working as salesman there.

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 Dalsingsarai (Ghatho) PS case no. 105 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 learned ACJM, Dalsingsarai, Samastipur, 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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