

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48712 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -KALER District- JEHANABAD

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1. Rajendra Singh, Son of Late Ramashish Singh,
2. Lakhan Singh S/o Late Budhan Singh,
3. Sheo Prasad Singh Son of Late Budhan Singh, All R/o Village-
Parshurampur, P.S.- Kaler, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 04-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kaler P.S. Case No. 23 of 2017 instituted for the offence under Sections-325, 307 & other minor sections of the Indian Penal Code.

Counsel for petitioners has submitted that there is case and counter case between the parties. The petitioner No. 1 has also filed counter case bearing Kaler P.S. Case No. 24 of 2017 in which, the petitioner No. 1 has sustained injury and he got admitted as indoor patient on 29-07-2017 and was discharged on 03-08-2017 and in support of this, Discharge Ticket has been enclosed as Annexure-3 to this petition.

It has been submitted that allegation against petitioner No. 1 is of assaulting the informant and his cousin Om Prakash with Gadansa.



The injury report of both the injured have been enclosed as Annexure-4 series wherein the doctor has found no external injury on the person of the informant and only abrasion was found on the person of Om Prakash. It has further been submitted that the report was called for from the Superintendent of Police which has been received wherein it has been mentioned that Om Prakash did not get any treatment in PMCH.

Counsel for the informant has appeared and opposed the prayer.

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 Kaler P.S. Case No. 23 of 2017 to the satisfaction of Shri Madhwender Singh, learned SDJM, Jehanabad 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 be liable to cancel their bail bond 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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