

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5761 of 2018

Arising Out of PS.Case No. -661 Year- 2017 Thana -SHASTRINAGAR District- PATNA

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1. Upendra Prasad, S/o Late Rambhajan Rai,
2. Bibha Patel, W/o Upendra Prasad, Both are R/o Chakaram, Budha Colony, Town & District- Patna at present Residing at New Patliputra Colony, P.S.- Patliputra, Town and District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 26-03-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Shastri Nagar P.S. Case No. 661/2017 instituted for the offences under Sections 341, 323, 325, 307, 504/34 of the Indian Penal Code.

It has been submitted that the petitioners are *Devar* and *Devrani* of the informant. It is alleged that both the petitioners came on Scooty while the informant with her husband was standing in a parking space of her flat situated at Shivpuri and dashed the informant with scooty to kill her. The informant sustained injury and raised cry. She was taken to hospital where



her left leg was plastered.

Case diary has been received, but the injury report has not been received with the case diary even after letter having been sent by the Sr. S.P., Patna to the concerned I.O.

The injury report annexed as Annexure-3 shows that the informant has sustained two bruises on right lumber region and right thigh and one swelling over left upper third of leg.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Shastri Nagar P.S. Case No. 661/2017, 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 Chief Judicial Magistrate, Patna, subject to the conditions as laid down under Section 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 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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