

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20911 of 2018

Arising Out of PS.Case No. -274 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Ganauri Devi, W/o Ram Ratan Rai,
2. Mohan Rai @ Mohan Kumar
3. Aasthanand Rai
4. Baiju Rai, All S/o Ram Ratan Rai, All R/o village- Bajipur Chakasturi,
P.S.- Desari (Sandai O.P.), District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Adv.
Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Desari P.S.Case No.274 of 2017 , registered for offences punishable under Sections 342, 323, 307, 504/34of the Indian Penal Code.

Allegation against the petitioners is of assault to the informant and his wife causing injury to them.

Submission of the learned counsel for the petitioners is that petitioner no.1 had also been assaulted brutally by the informant's side for posing witchcraft, thereafter a case was lodged and to save his skin, the present case has been filed. Opinion on the injury was



found to be dangers to the life.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 2nd, Vaishalia at Hajipur in connection with Desari P.S.Case No.274 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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