

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53315 of 2017

Arising Out of PS.Case No. -102 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

=====

1. Sujit Kumar Singh @ Sujit Kumar @ Sujit Singh
2. Manjay Kumar Singh @ Manjay Singh
Both sons of Baiju Singh, Resident of Village - Ismilepur @ Islampur,
Police Station - Goraul, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha, Advocate.

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 18-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Desari P.S. Case No. 102 of 2017** instituted for the offence under Sections 341, 323, 147, 307, 379, 448 and 504 of the Indian Penal Code.

It has been submitted by the petitioners that there is land dispute between the parties. Both parties are *Gotiyas*. There is case and counter case between them. Prior to filing of the instant case, the mother of the petitioners Kailash Devi has filed Desari P.S. Case No. 120 of 2017 against the informant and others.

In the written report there is allegation that these petitioners assaulted the informant with iron rod on the head.

The injury report has been enclosed as Annexure-3 wherein the Doctor has found only one injury on the scalp caused by



sharp cutting weapon size 4” x 1/2” x 1/2”.

Considering the facts and circumstances of the case, 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 **Desari (Sahdei O.P.) P.S. Case No. 102 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 **learned Sub Judge-III-cum-Additional Chief Judicial Magistrate-III, Vaishali at Hajipur**, 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 their 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)

S.Ali/-

U		T	
---	--	---	--

