

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35816 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Swikar Nath Mishra, son of late Hoshila Mishra,
2. Amit Mishra, son of Swikar Nath Mishra, both are residents of village-
Jokaha, P.S.- Manuapul, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. U. C. Verma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 25-07-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Bettiah Muffasil (Manuapul) P.S. Case No.23 of 2018** instituted for the offence under Section(s) 341, 323, 354, 308, 504/34 Indian Penal Code.

Counsel for the petitioners submits that there is land dispute between the parties. There is case and counter case between the parties. Counter case being Bettiah Muffasil P.S. Case No.22 of 2018 has been filed by the petitioner No.1 against the informant and others.

In the instant case, it is alleged that petitioner No.2 assaulted the informant with *lathi* causing injury in her hand and



petitioner No.1 is said to have dragged her by catching her hairs. He also assaulted her with fists and slaps.

Injury report of the informant is annexed as Annexure-3, wherein, doctor has found swelling, pain and superficial injuries on the person of the injured. From the supplementary Injury Report, it appears that there was no injury on the vital part.

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 **Bettiah Muffasil (Manuapul) P.S. Case No.23 of 2018**, 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 **Chief Judicial Magistrate, West Champaran at Bettiah**, 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



bonds 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.

JA/-

(Sanjay Priya, J)

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