

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34839 of 2018

Arising Out of PS. Case No.-209 Year-2016 Thana- BAJPATTI District- Sitamarhi

-
1. MAITHLI SHARAN @ MAITHLI SHARAN BHAGAT S/o Late Gauri Shankar Bhagat
 2. Jairam @ Jairam Bhagat S/o Late Gaurishankar Bhagat
 3. Saroj Kumar S/o Maithli Sharan Bhagat
 4. Navin Kumar S/o Maithli Sharan Bhagat All are residents of village Harpurwa P.S. Bajpatti, District Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Bajpatti P.S. case no.
209 of 2016 instituted for the offence under Section(s) 341, 323,
324, 354, 504 and 379/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
petitioners are own Gotiya of the informant. From the F.I.R.
itself, it is apparent there is dispute of Rasta between the
parties. In the written report it is alleged against petitioner no.1
of assaulting the informant, namely, Sumitra Devi with Tengari
on her head. It is further alleged against petitioner no.2 that he
assaulted deyadin of the informant on head with Dabiya.



Petitioner nos. 3 and 4 are alleged to have assaulted with Lathi and iron rod to the informant and told to compromise the case.

Case diary has been received wherein the doctor has found minor injuries on the persons of the injured.

From the written report itself it is apparent that there is dispute between the parties for Rasta.

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 Bajpatti P.S. case no. 209 of 2016, 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 SDJM, Pupri, Sitamarhi, 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 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)

shyambihari/-

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

