

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53501 of 2017**

Arising Out of PS.Case No. -105 Year- 2016 Thana -MANER District- PATNA

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1. Nand Kumar Rai, S/o Raghav Rai,  
2. Shiv Mohan Rai @ Shiv Mahadeo Rai, S/o Nand Kumar Rai, Both  
Resident of Village-Khaspur South Tola, P.S.-Maner, District-Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arpana Kumari

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

5      12-01-2018                      Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Maner P.S. Case No. 105 of 2016 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

It is alleged against petitioner No. 1 that he assaulted the informant with sword causing cut injury on the head. The petitioner No. 2 is alleged to have caused injury on the neck of father of the informant with Farsa.

It has been submitted that there is case and counter case between the parties. The mother of co-accused Baldeo Rai has lodged a case being Maner P.S. Case No. 107 of 2016 against the informant and others. Petitioners and informant are Gotiyas and several litigations are going on between the parties.

The case diary has been received in which the injury reports



of both the injured are available and the doctor has found injury on the person of injured to be simple in nature. One injury on the person of father of the informant which is fracture shaft of left ulna was found by doctor to be grievous in nature.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Maner P.S. Case No. 105 of 2016 to the satisfaction of Sri Randhir Kumar, learned Judicial Magistrate-Ist Class, Danapur, Patna subject to condition as laid down u/S 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 liable to 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)**

A.K.V./-

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