

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38173 of 2018

Arising Out of PS. Case No.-21 Year-2018 Thana- KHUDWAN District- Aurangabad

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1. Rajnish Sharma, Son of Ganesh Sharma,
 2. Santosh Sharma,
 3. Sanjeev Sharma, Both sons of Jagarnath Sharma,
 4. Srikant Sharma @ Mintu Sharma,
 5. Manjay Sharma, Both sons of Suresh Sharma, All are resident of Village- Dihuri, Police Station- Khudwan, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-07-2018 Heard learned counsel for the petitioners leaned counsel for the informant and learned APP for the State.

Petitioners apprehend their arrest in Khudwan P.S. Case No.21 of 2018 instituted for the offence under Sections 147, 148, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The brother of the present informant lodged another case vide Khudwan P.S. Case no. 20 of 2018 for the offence dated 16.05.2018. In the instant case, there is allegation that petitioner no.1 namely Rajnish Sharma assaulted the informant causing injury on his neck and petitioner no.2 namely Santosh Sharma assaulted Rudresh causing injury on his head. The injury reports of both the injured have been annexed as Annexure-4, wherein, the doctor has found



simple injuries on their persons. One of the injury on the palm of injured Rudresh Pandey was found to be grievous in nature.

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 Khudwan P.S. Case No.21 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 learned Judicial Magistrate, 1st Class, Daudnagar, Aurangabad (Bihar), 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)

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