

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39056 of 2018

Arising Out of PS. Case No.-815 Year-2017 Thana- BANKA District- Banka

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1. Amit Yadav @ Amit Kumar, Son of Ram Lakhan Yadav,
 2. Ram Lakhan Yadav, S/o Naresh Mashan @ Naresh Pd. Yadav,
Both resident of Village- Kusmaha, Police Station- Bounsi,
District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 04-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Banka P.S. case no.
815 of 2017 instituted for the offence under Section(s)
147,148,149, 341, 323, 324, 307 and 379 of the Indian Penal
Code.

As per the written report total six persons assaulted the
brother of the informant with Dabiya, garasa and iron rod.

The injury report of the brother of informant is annexed
as Annexure 2 to the bail petition which shows that he received
three injuries out of which injury nos. 1 and 3 is simple in
nature and injury no.2 was opined by the doctor to be grievous
in nature which was fracture of right scapula as per radiologist
report. As such, injury no.2 was not on any vital part of body



of informant.

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 Banka P.S. case no. 815 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 the CJM Banka, 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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