

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46532 of 2018

Arising Out of PS.Case No. -27 Year- 2018 Thana -PIRI BAZAR District- LAKHISARAI

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1. Abhishek Kumar son of Parkash Mandal.
2. Deepak Kumar son of Sumit Mandal.
3. Vikash Kumar son of Nageshwar Mandal
4. Nageshwar Mandal son of Ghaneshwar Mandal All are of residence of Village- Losghani, P.S.- Piri Bazar, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Sri Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-08-2018 Learned counsel for the petitioners submits that petitioner no. 2, Deepak Kumar has already been arrested and therefore, his anticipatory bail petition has become infructuous.

Accordingly, the anticipatory bail petition of petitioner no. 2 is dismissed as has become infructuous

Petitioner nos. 1, 3 and 4 apprehend their arrest in Piri Bazar P.S. Case No. 27/2018, instituted for the offences punishable under Sections 448, 323, 354(A), 354(B), 379, 504, 307 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the instant case is counter blast of Piri Bazar P.S. Case No.



28/2018 lodged by wife of co-accused Parkash Mandal, namely, Janki Devi. The aforesaid case was lodged on account of informant having assaulted petitioner no. 1 after tying him due to which petitioner no. 1 got injury.

There is allegation against this petitioner in the instant case that he pulled the *Salwar* of daughter of the informant while she was going for tuition and shoot photo and made it viral on Whats App. It is further alleged that when the informant went to make complaint before Mukhiya and Surpanch, petitioner no. 4 along with other co-accused assaulted the informant and his family members.

From the impugned order, it appears that the injury sustained by the injured is simple in nature.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of petitioner nos. 1, 3 and 4 is allowed. In the event of surrender/arrest of petitioner nos. 1, 3 and 4, named above, within six weeks from today, in connection with Piri Bazar P.S. Case No. 27/2018, 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 S.D.J.M., Lakhisarai, subject to the conditions as laid down under Section 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 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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