

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46119 of 2018

Arising Out of PS.Case No. -418 Year- 2017 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

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1. Vishwanath Thakur, S/o Late Meghu Thakur,
2. Premi Devi W/o Vishwanath Thakur, Both of Vill.- Bhojdih, P.S.-
Ariyari, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dharendra Kumar @ Dhiru Mahto, S/o Late Ram Chandra Mahto, R/o
Vill.- Bhojdih, P.S.- Ariyari, District- Sheikhpura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Complaint
Case No. 418(C)/2017, instituted for the offences punishable
under Sections 323, 324, 326, 342 and 504/34 of the Indian Penal
Code.

In the written report, there is specific allegation
against petitioner no. 2 of causing injury in the left eye of the son
of informant with iron rod. The informant got him treated in
Shankar Netralaya and finally his eye sight has been lost.

Considering the aforesaid facts, this Court is not



inclined to grant anticipatory bail to petitioner no. 2, Premi Devi. Accordingly, her prayer for anticipatory bail is rejected.

Petitioner no. 2 is directed to surrender before the Court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, which shall be considered on its own merit without being prejudiced by this order.

So far as petitioner no. 1 is concerned, there is no specific allegation against him.

The prayer for anticipatory bail of petitioner no. 1 is allowed. In the event of surrender/arrest of petitioner no. 1, named above, within six weeks from today, in connection with Complaint Case No. 418C/2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura, 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) petitioner 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 petitioner and (3) if petitioner 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 petitioner.

(Sanjay Priya, J.)

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