

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47569 of 2018

Arising Out of PS.Case No. -113 Year- 2018 Thana -KATEYA District- GOPALGANJ

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1. Ramashish Ram, Son of Late Bhirgurasan Ram,
2. Rajendra Ram, Son of Late Bhirgurasan Ram,
3. Beyash Ram, @ Beyas Ram, Son of Late Bhirgurasan Ram.
4. Sobha Devi, Wife of Late Bhirgurasan Ram,
5. Anita Devi, Wife of Dhiraj Ram,

All are resident of Village- Dharahra Mela, P.S. Kateya, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Kateya P.S. Case No. 113 of 2018** instituted for the offence under Sections 341, 323 and 307/34 of the Indian Penal Code.

In the written report there is allegation that petitioner No. 1 assaulted the informant with *Tangi* on his head causing injury to him.

Counsel for the petitioners submits that there is case and counter case between the parties. Counter case vide Kateya P.S. Case No. 114 of 2018 has been filed by petitioner No. 4



against the informant and others in which petitioner Nos. 2, 3, 4 and 5 have sustained injury.

In the instant case injury report of the informant has been enclosed as Annexure-4 which shows that he sustained one injury on scalp measuring 3" x ½" x ½" which was opined to be simple in nature caused by hard and blunt substance.

There is no allegation of any specific overt act against petitioner No. 1.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Kateya P.S. Case No. 113 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 learned **Additional Chief Judicial Magistrate-XV, Gopalganj**, 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 their absence on two consecutive dates without proper and reasonable reason will be



liable to cancel their bail bond 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.

S.Ali/-

(Sanjay Priya, J)

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