

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57839 of 2017

Arising Out of PS.Case No. -171 Year- 2017 Thana -PHULPARAS District- MADHUBANI

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1. Ram Udgar Kamat @ Ram Udgar Suman, son of Sury Narayan Kamat,
 2. Ram Keshwar Kamat @ Janki Kamat @ Ramkeshw Kamat, son of Pandav Kamat,
 3. Chandan Kamat, son of Hari Narayan Kamat, all of resident of village Bathnaha, P.S.- Phulpras, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Dr. Indiwari Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 16-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Phulparas P.S.**

Case No.171 of 2017 instituted for the offence under Section(s) 307 and other allied sections of the Indian Penal Code and Section 34 of the Dayan Act.

Counsel for the petitioners has submitted that there is case and counter case between the parties. Both parties have sustained injuries. Injury reports from the side of the petitioners have been enclosed as Annexure-4. Counter case has been filed by son of petitioner no.1 against the informant and others in which petitioner no.1 and his son, Vikash Kumar, have sustained injuries, which is apparent from Annexure-4.



In the instant case, allegation is that total sixteen accused persons assaulted the informant and other family members.

Injury report of the injured of the instant case has been annexed as Annexure-2 series, which show that five persons have sustained injures. The doctor has found almost all the injuries on the person of the injured are simple in nature. Opinion of some of the injuries have been kept reserved as mentioned in the injury report.

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 **Phulparas P.S. Case No.171 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 **Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani**, 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 bonds 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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