

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45835 of 2018

Arising Out of PS. Case No.-164 Year-2018 Thana- DURGAWATI District- Bhabhua
(Kaimur)

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1. Ramjee Seth @ Ramljee Seth, S/o Late Shiv Pujan Seth @ Shiv Pujan Sonar,
 2. Deepak Seth S/o Ramjee Seth, Both are R/o Vill.- Akorhi, P.S.- Belaon, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

Petitioners apprehend their arrest in Durgawati P.S. case no. 164 of 2018 instituted for the offence under Section(s) 341, 324, 307, 379, 504/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that petitioner no.1 is own samdhi of informant who has married his daughter with one of the son of informant, namely Pramod Seth. Petitioner no.2 is son of petitioner no.1. It is further submitted that due to property dispute and family partition, a free fight took place between the informant and his three sons and when this news was given by the daughter of petitioner



no.1 on mobile, then these petitioners rushed to the informant's house and tried to rescue them and took the side of his son-in-law, namely, Pramod Seth, which got annoyance to the informant and has implicated these petitioners as well as his own son, namely, Pramod Seth in the present case.

In the written report it is alleged that petitioner no.1 caused injury with chura in chest and stomach of Arbind Seth and petitioner no.2 stabbed in chest and stomach of the informant's son. The injury report of both the injured(s) have been annexed as Annexure 2 series which shows that they sustained simple injury.

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 in Durgawati P.S. case no. 164 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 the CJM Kaimur (Bhabua), 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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