

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2589 of 2018

Arising Out of PS.Case No. -238 Year- 2017 Thana -SULTANGANJ District- PATNA

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1. Mohammad Tinku, Son of Naushad @ Md. Aftab,
2. Mohammad Saheb @ Saheb, Son of Mohammad Teny,
Both resident of Mohalla- Dargah Road, Chauraha, P.S.- Sultanganj,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate.

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-02-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Sultanganj P.S.**

Case No. 238 of 2017 instituted for the offence under Sections 341,
323, 308, 504 and 34 of the Indian Penal Code.

The allegation against these petitioners that they were
assaulting and abusing the brother of the informant and when the
informant tried to pacify the matter, the petitioners assaulted him with
rod on his head causing bleeding injury to him.

Case diary has been received.

The injury report of the informant is available in
paragraph-86 of the case diary wherein the Doctor has found the injury
to be simple in nature.

It has been submitted that compromise has also taken



place between the parties which would be apparent from Annexure-2.

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 **Sultanganj P.S. Case No. 238 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 learned **Additional Chief Judicial Magistrate-VIth, Patna City**, 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.

(Sanjay Priya, J)

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