

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26594 of 2018

Arising Out of PS.Case No. -176 Year- 2017 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

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1. Baijnath Rai, S/o Late Sabudi Ray,
2. Ram Pukar Rai, S/o Late Ramji Ray,
3. Ravi Kumar Rai, S/o Vinod Ray,
4. Golu Rai @ Golu Kumar Rai, S/o Bholan Ray,
5. Shiv Shankar Rai, S/o Raja Ram Ray,
6. Sudhir Kumar Rai, S/o Shiv Shankar Ray,
7. Randhir Kumar Rai, S/o Shiv Shankar Ray,
8. Deepak Kumar Rai, S/o Chandra Shekhar Ray,

All are R/o Vill.- Ramaiya P.S.- Mohiuddin Nagar, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zeyaul Hoda, Advocate.

For the Opposite Party/s : Mr. Ahtash Ali Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-06-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Mohiuddin**
Nagar P.S. Case No. 176 of 2017 instituted for the offence under
Sections 147, 148, 323, 324, 379 and 504/34 of the Indian Penal
Code.

There is case and counter case between the parties.

Learned counsel for the petitioners has submitted that
injuries sustained by the injured in this case are simple in nature.
The allegation against the petitioners is that they assaulted the



informant with *lathi* causing injury to him. It has further been submitted that the injuries on the person of the informant was simple in nature.

Learned Sessions Judge has mentioned in the impugned order that the informant has sustained injuries on his neck and head.

It is mentioned in paragraph -8 of the bail petition that informant and others have assaulted petitioner No. 6 on account of which he has received serious injury on his head for which Mohiudin Nagar P.S. Case No. 177 of 2017 has been lodged by petitioner No. 6 against the informant and others.

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 **Mohiuddin Nagar P.S. Case No. 176 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-IV, Samastipur**, 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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