

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37525 of 2018

Arising Out of PS. Case No.-44 Year-2018 Thana- TARAIIYA District- Saran

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1. Prabhu Rai, Son of Late Harihar Rai,
 2. Mosaheb Rai, Son of Swaroop Rai, Both are residents of Village- Rajdhani, Police Station- Taraiya, District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-07-2018 Heard learned counsel for the petitioners,,learned APP for the State and learned counsel for the informant.

Petitioners apprehend their arrest in Taraiya P.S. case no. 44 of 2018, instituted for the offence under Section(s) 341, 323, 307, 326(A), 337, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that instant case is counter blast of Taraiya P.S. case no. 43 of 2018 filed by one of the co accused Shyambabu Rai. In the instant case, there is allegation against co accused Shyambabu Rai of throwing acid on the person of the informant. The petitioner no.1 is alleged to have assaulted with lathi. The injury report of the informant has been annexed as Annexure-2 from which it appears that three burn injuries have been sustained by the informant for which the opinion has been kept reserved. There is general and omnibus allegation



against petitioner no.2, namely, Mosaheb Rai.

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 Taraiya P.S. case no. 44 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 learned ACJM-IX, Chapra, Dist. Saran, 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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