

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7349 of 2018

Arising Out of PS.Case No. -438 Year- 2017 Thana -MANIHARI District- KATIHAR

- =====
1. Awani Kumar Mallick @ Abani Mallick, Son of Late Sunder Mallick,
 2. Vikas Kumar Mallick @ Bikash Kumar Mallick, Son of Awani Kumar Mallick @ Abani Mallick,
 3. Kukoo @ Awinash Mallick @ Kukku @ Avinash Mallick, Son of Awani Kumar Mallick @ Abani Mallick,
- All residents of Village- Dilarpur, P.S.- Manihari, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah @ Baranwal, Adv
For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Manihari P.S. Case No. 438 of 2017** instituted for the offence under Sections 341, 323, 505, 307, 354(B) and 37/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is case and counter case between the parties. Petitioner No. 1 has filed Manihari P.S. Case No. 439 of 2017 against the informant and his other family members.

In the instant case there is general and omnibus



allegation against the petitioners of assaulting the informant and his other family members.

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 **Manihari P.S. Case No. 438 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 Chief Judicial Magistrate, Katihar**, 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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