

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16678 of 2018

Arising Out of PS.Case No. -243 Year- 2017 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Umaid Rai, son of late Arjun Rai,
 2. Shobha Devi, wife of Umaid Rai,
 3. Baljit Rai @ Baljit Ray, son of Umaid Rai,
 4. Dhanjeet Rai, son of Umaid Rai, all 1 to 4 are resident of village-
Lagma, Ghataho O.P., P.S.- Sarairanjan (Ghataho), District- Samastipur,
 5. Guddu Rai @ Guddu Kumar, son of Nawal Rai, resident of village-
Shekhpur, P.S.- Pandarak, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Praveen, Advocate

For the Opposite Party/s: Mr. Shailendra Kumar -2, APP

For the Informant : Mr. Anil Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 04-04-2018

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the informant.

Petitioners apprehend their arrest in **Sarairanjan (Ghataho) P.S. Case No.243 of 2017** instituted for the offence under Section(s) 147, 149, 307, 323, 341, 504, 506 Indian Penal Code.

It has been submitted that petitioner no.1 has also sustained injury in the scuffle. After the occurrence, he went to PHC, Patory, Samstipur, for treatment. The Doctor on duty informed the police, but no one came to take statement of petitioner no.1. Thereafter, he has filed Complaint Case No.2082



of 2017 stating about the occurrence.

In the instant case, there is allegation that the petitioners armed with lathi, Danda, iron rod arrived and obstructed the informant and her father-in-law from watering the land and when they did not agree, then informant and her father-in-law were assaulted with lathi, Danda causing injury.

Injury report of both the injured have been annexed as Annexure-3 series, which shows that injury on the person of father-in-law of the informant is simple in nature and one injury on the person of the informant is said to be grievous, which is swelling on left hand.

Counsel for the informant has appeared and opposed the prayer for bail.

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 **Sarairanjan (Ghataho) P.S. Case No.243 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 the **Additional Chief Judicial Magistrate, VI, 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 bonds 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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