

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28365 of 2018

Arising Out of PS.Case No. -168 Year- 2017 Thana -SISWAN District- SIWAN

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1. Sevat Hussain, s/o Ejaj Ali,
2. Hasan Rizvi @ Hasan S/o Shammie Mohammad, Both 1 and 2 are R/o
Vill.- Bhikhpur, P.S.- Siswan, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-05-2018 Learned counsel for the informant has filed counter affidavit.

The petitioners are apprehending their arrest in connection with Siswan P.S. Case No. 168 of 2017, registered for offences punishable under Sections 147, 341, 323, 307, 504, 324, 325 and 379 of the Indian Penal Code.

Allegation against the petitioners is of assault to the informant.

It has been submitted on behalf of the petitioners that though there is allegation of assault against the petitioners, however, the injuries sustained by the informant was found to be simple in nature, which will appear from annexure – 3, which is the finding of medical board.



Heard learned APP as well as learned counsel for the informant. Learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the petitioners have assaulted the informant on his nose and lip and caused serious injury and he referred annexure B Series of the counter affidavit.

Having heard both sides, in view of the above facts as well as annexure -3 series of the bail petition, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate –X, Siwan, in connection with Siswan P.S. Case No. 168 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the



investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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