

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29360 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -KAMTAUL District- DARBHANGA

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1. Sanjeev Sah, S/o Late Brij Mohan Sah,
2. Santosh Sah, S/o Bindeshwar Sah,
3. Dhiraj Kumar, S/o Sanjeev Sah,
4. Mikky Sah @ Mikky Kumar Sah, S/o Late Brij Mohan Sah,

All are R/o Vill.- Mohammadpur, P.S.- Kamtaul and District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 12-07-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Kamtaul P.S. Case No. 46 of 2018** instituted for the offence under Sections 341, 323, 307, 504 and 342/34 of the Indian Penal Code.

It is alleged in the written report that son of the informant had gone to meet his lover Shivani in her house saying the informant that he would return after meeting Shivani as both of them are in love affairs. It is further alleged that when son of the informant reached the house of Shivani, the petitioners who are family members of Shivani assaulted the son of the informant causing injuries to him.



Learned counsel for the petitioner has submitted that Kamtaul P.S. Case No. 47 of 2017 has been lodged by wife of petitioner No. 1 against the son of the informant under Sections 457, 379 and 511 of the Indian Penal Code. The instant case is counter blast of the aforesaid case.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that in the entire case diary neither any statement of Shiwani has been recorded nor any injury report of son of the informant is available.

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 **Kamtaul P.S. Case No. 46 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 learned **Sub Divisional Judicial Magistrate, Darbhanga**, 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.

S.Ali/-
Rohit Kr.

(Sanjay Priya, J)

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