

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38955 of 2018

Arising Out of PS.Case No. -110 Year- 2016 Thana -AWTARNAGAR District- SARAN

- =====
1. RAHUL SHRIJEET @ BITTU, son of Shambhu Nath Sharma,
 2. Raj Shrijeet, son of Shambhu Nath Sharma, both resident of village Panchpatiya, P.S. Awtar Nagar, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shitanshu Shekhar Mishra, Advocate

For the Opposite Party/s : Smt. Renuka Ratnakar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 11-07-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Awatar Nagar P.S. Case No.110 of 2016** instituted for the offence under Section(s) 147, 148, 149, 341, 323, 324, 307, 379, 354, 504 Indian Penal Code.

Counsel for the petitioners submits that there is case and counter case between the parties. Mother of the petitioners has filed counter case vide Awatar Nagar P.S. Case No.109 of 2016 in which members from the petitioners' side have sustained injuries.

In the instant case, there is allegation against these petitioners of assaulting the brother of the informant on his head.



The Sessions Judge has mentioned in the impugned order that injury found on the person of the injured was simple in nature.

It has been submitted that other co-accused has already been granted anticipatory bail by co-ordinate Bench of this Court by order dated 02.07.2018 passed in Cr. Misc. No36491 of 2018.

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 **Awatar Nagar P.S. Case No.110 of 2016**, 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, XI, 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 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.

JA/-

(Sanjay Priya, J)

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