

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38262 of 2018

Arising Out of PS. Case No.-277 Year-2015 Thana- HARSIDHI District- East Champaran

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1. Manoj Kumar @ Manoj Kumar Yadav, Son of Amardeo Rai,
 2. Satyadeo Rai @ Satyadeo Yadav, Son of Amardeo Rai,
 3. Amardeo Rai, Son of Late Munsai Rai,
 4. Sanjit Kumar, Son of Satyadeo Rai,
 5. Sushila Devi, Wife of Satyadeo Rai, All residents of Village- Murarpur Bhagaut, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Tiwari
For the Opposite Party/s : Mr. Sri Mustaque Alam

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Harsidhi P. S. case no. 277 of 2015 instituted for the offence under Section(s) 341, 342, 323, 324, 379 and 307/34 of the Indian Penal Code.

It is submitted that there is case and counter case between the parties. Petitioner no.2 has filed criminal case against the informant and his sons vide Harsidhi P. S. case no. 278 of 2015. The son of the informant, brutally assaulted Sanjeet and Amar Deo Rai causing serious injury.

In the instant case there is allegation that petitioner nos. 1 and 2 assaulted the informant with *farsa*. The allegation against



other accused persons is that they have assaulted the son of the informant on his head and other parts of the body. The injury report of the informant and his son has been enclosed Annexure(s) 4 and 4/1 which show that both of them have sustained simple injury. There is case and counter case between the parties and injuries have been sustained on both the sides.

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 Harsidhi P.S. case no. 277 of 2015, 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 CJM, Motihari, East Champaran, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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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