

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26073 of 2018

Arising Out of PS. Case No.-109 Year-2016 Thana- AWTARNAGAR District- Saran

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1. Ramakant Singh, Son of Kapildeo Singh
 2. Rakesh Singh @ Rakesh Kumar Singh, Son of Girja Nandan Singh, Both residents of Village - Dewariya, P.S. - Awtar Nagar, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-05-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Awatar Nagar P.S. Case No. 109 of 2016 instituted for the offence under Sections 147,148,149,447,341,323,307,379,504 of the IPC.

In the written report, allegation against petitioner no. 1 is of assaulting the son of the informant with farsa causing injury on his right shoulder. Allegation against petitioner no. 2 is of assaulting the husband of the informant with iron rod on head. The injury report of both the injured have been enclosed as Annexure 4 series to this petition, which shows that all the injured have sustained simple injury.

Counsel for the petitioners submits that there is case



and counter case between the parties. The counter case has been filed by petitioner side vide Awatar Nagar P.S. Case No. 110 of 2016 against the informant and others, in which the petitioner side have also sustained injury. The injury report of petitioner no. 2 is enclosed as Annexure-3 to this petition, which shows that he was referred to PMCH for better treatment.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Awatar Nagar P.S. Case No. 109 of 2016 to the satisfaction of the learned Judicial Magistrate Court No. XIII, Saran at Chapra, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers



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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