

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22945 of 2018

Arising Out of PS.Case No. -17 Year- 2017 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Nand Lal Rai, Son of Late Hemlal Rai.
2. Sita Ram Rai Son of Sant Lal Rai Both Resident of Village-Majhauili,
Police Station-Bidupur, District-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-05-2018 The petitioners are apprehending their arrest in connection with Bidupur P.S. Case No. 17 of 2017, registered for offences punishable under Sections 147, 341, 323, 324, 325, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioner no. 1 is assault to the informant and one Sunil Kumar and petitioner no. 2 is of assault to one Meena Devi, causing injuries to them.

It has been submitted on behalf of the petitioners that there is case and counter case between the parties and so far injuries are concerned opinion with regard to injuries caused to informant has been kept reserved but the injuries were found by hard and blunt substance and not by sharp cutting weapon as alleged in the F.I.R. So far the injury caused to Meena Devi is



concerned, the same is found to be simple in nature

Heard learned A.P.P. also.

Having heard both sides, so far petitioner no. 1 is concerned, I am not inclined to grant the privilege of anticipatory bail rather he should surrender before the court below and pray for regular bail, which will be considered on the merit of the case.

So far petitioner no. 2 is concerned, considering the facts and circumstances of the case as well as the fact that the injury inflicted by him to Meena Devi was found to be simple in nature as well as there is case and counter case, let the petitioner no. 2, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned ACJM –XIV, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 17 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.



(ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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