

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51 of 2018

Arising Out of PS.Case No. -63 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

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1. Indu Devi, W/o Shri Bijay Prasad
2. Rohit Kumar, S/o Shri Suresh Prasad
Both R/o Village Raja Bagiya, P.S. Rafiganj, District - Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Rafiganj P.S.**

Case No. 63 of 2015 instituted for the offence under Sections 341, 323, 325 and 307/34 of the Indian Penal Code.

It is alleged in the written report that petitioner No. 1 assaulted the informant with *lathi* causing injury in the right palm of the informant and petitioner No. 2 assaulted the informant with iron rod causing fracture injury on the hand of the informant.

Police after investigation submitted Final Form against both the petitioners showing the case untrue against them, but the court below after differing with the Final Form, took cognizance against the petitioners and other accused persons.

From the allegation in the written report itself it appears that there has been no assault on any vital part of the body of the



informant.

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 **Rafiganj P.S. Case No. 63 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 **learned Chief Judicial Magistrate, Aurangabad**, 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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