

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51500 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -CHAKAI District- JAMUI

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1. Anil Sah, S/o Nepal Sah,
2. Bhola Sah S/o Late Jatar Sah, Both R/o Village- Simariya, P.S.- Chakai,
District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Chakai P.S. Case No. 73
of 2017 instituted for the offence under Section-307 & other minor
Sections of the Indian Penal Code.

The allegation against petitioner No. 1 is of assaulting the
brother of the informant namely Hemraj Sah. There is no any specific
allegation against petitioner No. 2.

Counsel for petitioners has submitted that petitioner No. 1
has filed a case being Chakai P.S. Case No. 74 of 2017 against the
informant and others, in which, the informant and others have assaulted
the petitioners side and they have sustained injury. Counsel for the
petitioners has submitted that there is no injury on the person of Hemraj
Sah.

The case diary has been received and after perusing of the



same, learned APP has submitted that no injury report of Hemraj is available in the case diary.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Chakai P.S. Case No. 73 of 2017 to the satisfaction of Sri Lalan Kumar, learned Additional Chief Judicial Magistrate-Ist, Jamui 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 date fixed by the court and absence on two consecutive dates without proper and reasonable cause will be liable to cancel his 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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