

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48426 of 2017

Arising Out of PS.Case No. -75 Year- 2017 Thana -GHOSI District- JEHANABAD

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1. Basu Das, Son of Googu Das
2. Arjun Das, Son of Googu Das
Both resident of Village- Chaitipipar, P.S. Ghosi, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate.

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 15-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Ghosi P.S. Case No. 75 of 2017** instituted for the offence under Sections 341, 323, 337, 338 and 307/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is case and counter case between the parties. The petitioner No. 2 has filed Ghosi P.S. Case No. 76 of 2017 against the informant and others for the same date of occurrence. There is no allegation of any specific overt act against these petitioners rather there is general allegation that all the accused persons assaulted on the head of the wife of the informant with bricks and they also assaulted the daughter of the informant and other persons with lathi, danda.

Case diary has been received

The injury reports is available in the case diary wherein



the injury on the person of the wife of the informant was found to be simple in nature.

In the written report itself it appears that altercation took place on simple issue of barking the dog.

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 **Ghosi P.S. Case No. 75 of 2017**, 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, Jehanabad**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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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