

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49773 of 2017

Arising Out of PS.Case No. -90 Year- 2017 Thana -WARISNAGAR District- SAMASTIPUR

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1. SHYAM SUNDAR SAH @ BATAHU SAH, S/o Late Thakkan Sah,
2. Laxmi Sah, S/o Shyam Sundar Sah @ Batahu Sah,
3. Bhushan Sah, S/o Shyam Sundar Sah @ Batahu Sah,
4. Sonu Kumar @ Sonu Sah, S/o Shyam Sundar Sah @ Batahu Sah, All
resident of Village- Gohi, P.S.- Warisnagar, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Bijay Bhushan Prasad
For the informant : Mr. Mritunjay Kumar Verma, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 05-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Warisnagar P.S. Case No. 90 of 2017 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

It has been submitted that there is case and counter case between the parties. The petitioner No. 1 has lodged Warisnagar P.S. Case No. 89 of 2017 against the informant and others, in which, injury has been sustained from petitioners' side also.

In the instant case, there is allegation that all these petitioners assaulted the informant with Gadansa, Lathi and butt of the pistol.

The case diary has been received.

The injury report of the informant is available wherein the



doctor has found one stitched wound over parito occipital region and CT scan shows normal.

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 Warisnagar P.S. Case No. 90 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Samastipur 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 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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