

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14983 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -AJAMNAGAR District- KATIHAR

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1. Sita Ram Mandal, S/o Late Rooplal Mandal,
2. Murlidhar Mandal, S/o Late Rooplal Mandal,
Both R/o Village- Rohiya, P.S.- Azamnagar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Rahmatullah, Advocate.
For the informant : Mr. Baleshwar Kamat, Advocate.
Mr. Sunil Kumar, Advocate.
For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-05-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Azamnagar**
P.S. Case No. 05 of 2018 instituted for the offence under Sections
341, 323, 325, 307, 384, 379, 504 and 34 of the Indian Penal
Code.

It is alleged in the written report that while the
informant was in his house, these petitioners along with other
accused persons arrived and started abusing the informant. When
the informant protested, petitioner No. 1 assaulted the informant
with *Khanti* on his leg as well as on his back and petitioner No. 2
assaulted mother of the informant with iron rod on her head



causing bleeding injury.

Case diary has been received.

The injury report of both the injured is available in the case diary. The A.P.P. has submitted that both the injured have sustained three injuries on their person, of which, the injuries have also been caused on the forehead of the mother of the informant.

Learned counsel for the petitioner has submitted that there is land dispute between the parties. The Doctor has after receiving X-ray plate in the supplementary injury report opined the injuries on the person of both the injured to be simple in nature caused by hard and blunt substance.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioners.

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 **Azamnagar P.S. Case No. 05 of 2018**, 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, Katihar**, 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.

S.Ali/-

(Sanjay Priya, J)

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