

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23502 of 2018

Arising Out of PS.Case No. -725 Year- 2017 Thana -BARACHATTI District- GAYA

- =====
1. Deepak Kumar, S/o Late Shivrath Yadav,
 2. Lalita Devi, W/o Late Shivrath Yadav, both resident of village- Tesbar,
P.S.- Mohanpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 19-06-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Barachatti (Mohanpur) P.S. Case No.725 of 2017** instituted for the offence under Section(s) 147, 149, 323, 307, 504, 506 Indian Penal Code.

Counsel for the petitioners submits that there is case and counter case between the parties. In the counter case filed by petitioner No.1 vide Barachatti P.S. Case No.724 of 2017, the informant and his other family members had brutally assaulted father of petitioner No.1 and other family members on account of which father of petitioner No.1 has died.

In the instant case, there is general and omnibus allegation that the petitioners assaulted the informant and his other family members and also caused injury to his father.



Case diary has been received. Learned APP has submitted that injury report of the informant and other witnesses, namely, Vikram Kumar, Punam Devi and Jai Ram Yadav is available in the case diary. The doctor has found simple injury on the person of Vikram Kumar, Punam Devi and Vikash Kumar. Two injuries were found on the person of Jay Ram Yadav, out of which one injury was simple in nature and opinion was kept reserved with regard to Injury No.1, which was lacerated wound on parietal region.

Injuries have been sustained from both sides and in the counter case, father of the petitioner No1. has died.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Barachatti (Mohanpur) P.S. Case No.725 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 the **Additional Chief Judicial Magistrate, Gaya**, 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 bonds 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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