

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14381 of 2018

Arising Out of PS.Case No. -680 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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1. Neelam Devi, W/o Sharwan Yadav,
2. Dharmendra Yadav S/o Sharwan Yadav, Both R/o Village- Durgapur,
P.S.- Muffasil, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Adv.

For the Opposite Party/s : Mr. Sri Satya Nand Shukla, App.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 21-05-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Khagaria (Muffasil) P.S.
Case No. 680 of 2017 instituted for the offence under Sections-341,
323, 379, 307, 504/34 of the Indian Penal Code.

It is alleged in the written report that petitioners have assaulted the informant by means of Lathi, Danda and Spade causing head injury and when his wife came for rescue, petitioners have snatched her silver chain.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners. Petitioners and informant of this case are full brother and there was land dispute between the parties. In paragraph-3 of the petition, it has been mentioned that the petitioners have no criminal antecedent.

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 Khagaria (Muffasil) P.S. Case No. 680 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Khagaria 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 reason, will automatically cancel bail bond of the petitioner 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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