

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57473 of 2017

Arising Out of PS. Case No.-230 Year-2017 Thana- KISHUNPUR District- Supaul

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1. Sanjay Mehta,
 2. Santosh Mehta Both are Sons of Late Satyanarain Mehta, R/o Village- Shripur, P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-02-2018 Heard learned counsel for the petitioners, learned APP for the State and the informant.

Petitioners apprehend their arrest in Kishanpur P.S. case no. 230 of 2017 instituted for the offence under Section(s) 307, 323,324, 341, 354(B) and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the doctor has found simple injury on the person of the son of the informant. There is no injury found on the person of the husband of the informant. The wife of petitioner no.1 has filed Kishanpur P.S. case no. 237 of 2017 against the informant and her other family members.

Learned counsel for the informant has appeared and opposed the prayer.



There is allegation in the written report that petitioner no.1 assaulted the son of the informant with *Dabiya* on the head and petitioner no.2 assaulted the husband of the informant with iron rod. The injury report of the son of the informant is available in the case diary which shows that he has sustained simple injury caused by hard and blunt substance. There is no injury report of the husband of the informant.

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 Kishanpur P.S. case no. 230 of 2017/GR. No. 1906 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 learned C.J.M., Supaul, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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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