

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8185 of 2018

Arising Out of PS.Case No. -65 Year- 2017 Thana -SIRDALA District- NAWADA

- =====
1. Sunil Kumar @ Sunil Prasad, S/o Karu Prasad,
 2. Nageshwar Prasad @ Gainu, S/o late Kesho Prasad, R/o Village-Titahiyar Tad, P.S.- Sirdala, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-04-2018 Heard learned counsel for the petitioners and the State.

The petitioner apprehends his arrest in **Sirdala P.S. Case No. 65 of 2017** instituted for the offence under Sections 147, 148, 323, 341, 379, 504, 506, 307 and 354(B) of the Indian Penal Code.

It is alleged in the written report that on the order of petitioner No. 2, petitioner No. 1 assaulted the informant with *Garansa* on his head. It is further alleged that when wife of the informant came to rescue him, petitioner No. 2 with three co-accused persons, as named in the written report, assaulted wife of the informant with *lathi, danda*, fists, slaps etc.

The injury report of informant and his wife has been



enclosed as Annexure-3 and 3/1, which shows that injury on their person was simple in nature. One of the injuries on the person of wife of the informant was opined to be grievous which is tenderness at left forearm.

Learned counsel for the petitioners has submitted that there is case and counter case between the parties. The petitioner No. 1 has lodged Sirdala P.S. Case No. 64 of 2017 against the informant and others which was registered earlier to the instant case.

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 **Sirdala P.S. Case No. 65 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 learned **Additional Chief Judicial Magistrate-V, Nawada**, 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)

U		T	
---	--	---	--

