

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30538 of 2018

Arising Out of PS. Case No.-1 Year-2018 Thana- KUNALI District- Supaul

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1. Bhola Mehta
 2. Lalu Mehta @ Lalu Kumar Mehta Both sons of Mahabir Mehta,
Resident of Village- Kamalpur, P.S.- Kanauli, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-08-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Kunauli P.S. case no.
1 of 2018 instituted for the offence under Section(s) 147,148,
149, 341, 323, 324, 307, 379, 354A, 504 and 506 of the Indian
Penal Code.

Learned counsel for the petitioners has submitted that
there is no injury report available in the case diary.

Earlier, this Court had called for the case diary and
injury report vide order dated 24.5.2018. In compliance of the
said order the case diary has been received. But the injury report
of the injured is not available in the case diary.

In the written report, there is allegation that Bhola Mehta



(petitioner no.1) has assaulted the son of the informant, namely Shyam Nandan Mehta with Farsa on his head and Lalu Mehta (petitioner no.2) assaulted the informant on his head with Farsa. It is mentioned in the written report itself that altercation had taken place due to dispute of Rasta.

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 Kunauli P.S. case no. 1 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 the Judicial Magistrate-1, Birpur, Dist. 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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