

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39257 of 2018

Arising Out of PS.Case No. -93 Year- 2018 Thana -DESARI District- VAISHALI(HAJIPUR)

- =====
1. Ranjay Paswan, S/o Jailal Paswan,
 2. Ajay Paswan, S/o Jailal Paswan, R/o Vill.- Bajitpurdih, P.S.- Desari (Sahdei O.P.), District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Smt. Bela Singh, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-08-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Desari (Sahdei O.P.) P.S. Case No.93 of 2018** instituted for the offence under Sections 341, 323, 325, 379, 354, 447 and 504/34 of the Indian Penal Code.

Counsel for the petitioners submits that petitioner and informant are *Gotias*. There is land dispute between the parties. Counsel for the petitioners further submits that proceeding under Section 107 Cr. P.C. between the parties is also pending in the court of Sub Divisional Magistrate, Mahnar, Vaishali. There is delay in filing First Information Report as the alleged date of occurrence is 2.5.2018 and First Information Report has been



lodged on 11.5.2018.

In the written report the petitioners are alleged to have assaulted the informant and his brother-in-law.

Case diary has been received.

There is no injury report in the case diary. It is mentioned in Paragraph-41 of the case diary that informant was sent for treatment in Primary Health Centre, Sahdei, from where she was referred to Sadar Hospital Hajipur.

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 **Desari (Sahdei O.P.) P.S. Case No.93 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 learned **2nd Additional Chief Judicial Magistrate, Vaishali**, 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/-
Rohit Kr.

(Sanjay Priya, J)

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