

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46848 of 2018

Arising Out of PS.Case No. -44 Year- 2016 Thana -BAUNSI District- BANKA

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1. Diwakar Manjhi, S/o Sattan Manjhi,
2. Much Kund Manjhi S/o Sattan Manjhi,
3. Laxmi Devi @ Guria Devi W/o Diwakar Manjhi, All R/o Vill.- Jorarpur
(Uparnima), P.S.- Bounsi, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Bounsi P.S.

Case No. 44/2016, instituted for the offences punishable under

Sections 341, 323, 337, 307, 427 and 504/34 of the Indian Penal

Code.

Learned counsel for the petitioners has submitted

that petitioners have no criminal antecedent. It is alleged in the

written report that petitioner no. 1 assaulted the informant with

lathi causing injury on his head and other accused persons pelted

stones at the house of informant. It has been submitted in para 8 of

the bail petition that the injury sustained by informant is simple in

nature. There is case and counter case between the parties.



Petitioner no. 1 has lodged a case against informant for the occurrence of the same day vide Baunsi P.C. Case No. 45/2016

Considering the facts and circumstances of the case, the 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 Baunsi P.S. Case No. 44/2016, 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 A.C.J.M. III, Banka, subject to the conditions as laid down under Section 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 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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