

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40560 of 2018

Arising Out of PS.Case No. -28 Year- 2018 Thana -AGIAUN District- BHOJPUR

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1. Manohar Singh, son of late Bhairaw Dayal Singh,
2. Manjay Singh, son of Manohar Singh,
Both are resident of village- Kharaicha, P.S. Agiaon (Garhani), District-
Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Ataul Haque, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-07-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Agiaon**
(Garhani) P.S. Case No. 28 of 2018 instituted for the offence
under Sections 341, 323, 504, 506, 325 and 307/34 of the Indian
Penal Code.

Counsel for the petitioners has submitted that there is
case and counter case between the parties. It has further been
submitted that for the same date of occurrence, Agiaon P.S. (G) 30
of 2018 has been lodged by petitioner No. 1 against the informant
and others in which informant along with his son assaulted
petitioner No.1 and his son namely, Manjay Kumar, on account of



which, they sustained serious injury and was admitted to Sadar Hospital Ara.

In the instant case there is allegation that petitioner No. 1 assaulted the informant with *lathi* and petitioner No. 2 gave iron blow on the head of son of the informant. The injury report of son of the informant has been enclosed as Annexure-2 wherein the Doctor has found simple injury on the person of son of the informant.

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 **Agiaon (Garhani) P.S. Case No. 28 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 **Additional Chief Judicial Magistrate 7th, Bhojpur at Arrah**, 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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