

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37913 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -SAHIYARA District- SITAMARHI

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1. Ram Pukar Bhandari,
2. Ram Pravesh Bhandari,
3. Ram Niwas Bhandari All Son of Late Khenaru Bhandari @ Late Khenharu Bhandari,
4. Ramashankar Bhandari S/o Ram Deo Bhandari , All Resident of Vill.- Naraha Jagdar, P.S.- Sahiyara, Distt.- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-07-2018 Heard learned counsel for the petitioners, the informant and the State.

At the very outset, learned counsel for the petitioners has submitted that petitioner No. 4 has already been granted anticipatory bail by a coordinate bench of this Court vide order dated 02-07-2018 passed in Cr. Misc. No. 36949 of 2018. Hence, he prays to withdraw this application with respect to petitioner No. 4.

Accordingly, this petition in respect of petitioner No. 4 namely, Ramashankar Bhandari is dismissed as withdrawn.

So far as petitioner Nos. 1, 2 & 3 are concerned, they apprehends arrest in Sahiyara P.S. Case No. 23 of 2018 instituted for the offence under Sections-325, 307, 379 & other minor Sections of the Indian Penal Code.

Counsel for the petitioners submits that in the written



report, there is specific allegation against Rajnarayan of assaulting the informant on head with Farsa. In the written report, there is general and omnibus allegation against these petitioners. Counsel for the petitioners drew attention of the Court towards impugned order in which, learned Sessions Judge has mentioned that the informant has sustained simple injuries.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner Nos. 1, 2 & 3 named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with in Sahiyara P.S. Case No. 23 of 2018 to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi subject to condition as laid down u/S 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) petitioner Nos. 1, 2 & 3 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 be liable to cancel his bail bond and (3) if petitioner Nos. 1, 2 & 3 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 petitioner Nos. 1, 2 & 3.

(Sanjay Priya, J)

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