

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37282 of 2018

Arising Out of P.S.Case No. -99 Year- 2018 Thana -KATEYA District- GOPALGANJ

- =====
1. Dhananjay Mali @ Dhananjay Puspak, S/o Lalan Mali,
 2. Sumit Kumar Mali @ Sumit Mali, S/o Dhananjay Mali, Both are R/o Vill.- Sidhariya, P.S.- Kateya, Distt.- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 31-07-2018

Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in **Kateya P.S.**

Case No.99 of 2018 instituted for the offence under Section(s)
341, 323, 324, 307 and 379/34 Indian Penal Code.

It is alleged against petitioner No.1 that he assaulted
the informant with *Tangi* on his head. There is no allegation of
specific assault against petitioner No.2.

Counsel for the petitioners submits that there is case
and counter case between the parties. Counter case has been filed
by wife of petitioner No.1 vide Kateya P.S. Case No. 98 of 2018.
In that case, the informant had sustained injury. Counsel for the
petitioners further submits that there was free fight between the
parties and injuries have been sustained from both sides.



In the instant case, case diary has been received. Learned APP has submitted that the injuries have found to be simple in nature on the persons of the injured.

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 **Kateya P.S. Case No.99 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 **Chief Judicial Magistrate, Gopalganj**, 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 bonds 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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