

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37556 of 2018

Arising Out of PS.C.ase No. -86 Year- 2018 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Sanjay Sah
2. Saheb Kumar Both are sons of Paltan Sah resident of Village Jinwalia,
Police Station - Chanpatia (Sirisia O.P.), District - West Champaran.

.... 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

3 26-07-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Chanpatia
(Sirisia O.P.) P.S. Case No. 86/2018, instituted for the offences
punishable under Sections 341, 342, 323, 354, 354(A), 354(B)/34
of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
the father of the petitioners and the husband of the informant are
brothers and both are residing under common roof. Due to family
feud the alleged occurrence is said to have taken place on
instigation. The injury on the person of the informant is found to
be simple in nature caused by hard and blunt substance. The injury



report of the prosecution side has been annexed as Annexure- 4 (Series), which shows that informant and her husband have received simple injury caused by hard and blunt object. The counter case bearing Chanpatia (Sirisia O.P.) P.S. Case No. 85/2017 has been lodged by petitioner no. 1 against the informant and others for assaulting the petitioners and others. The injury report of the petitioners' side is annexed as Annexure-3 (Series). As such there is injury on both the sides.

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 Chanpatia (Sirisia O.P.) P.S. Case No. 86/2018, 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 learned Additional Chief Judicial Magistrate Vth, Bettiah, West Champaran, 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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