

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40799 of 2018

Arising Out of PS. Case No.-108 Year-2018 Thana- CHHATAPUR District- Supaul

1. Shankar Paswan,
2. Sanjay Paswan Both are Sons of Shyam Balabh Paswan, R/o
Vill.- Dahariya, P.S.- Chhatapur, District- Supaul.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta
For the Opposite Party/s : Mr. Nawal Kishore Pd. APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Chhatapur P.S. Case
No. 108 of 2018 instituted for the offence under Section(s) 341,
323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

It is submitted that there is case and counter case between
the parties. The father of the petitioners has filed Chhatapur P.S.
Case No. 109 of 2018 with regard to the occurrence dated
09.04.2018 against the informant and others. In the instant case,
there is allegation against petitioner no.1 of assaulting the
informant with *farsa* on the head and he fell down. It is further
alleged that petitioner no.2 also assaulted informant causing injury
on the finger of his left hand.

The learned Sessions Judge, Supaul has mentioned in the



impugned order that both the injuries on the person of the informant were found to be simple in nature.

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 Chhatapur P.S. Case No. 108 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 ACJM-IV, Supaul, 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 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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