

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12718 of 2018

Arising Out of PS.Case No. -92 Year- 2017 Thana -PATEPUR District- VAISHALI(HAJIPUR)

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1. Satya Narayan Mahto, S/o Late Ram Pratap Mahto,
2. Chhotu Kumar, S/o Satya Narayan Mahto,
All R/o Village- Dhankaul, P.S.- Patepur, District- Vaishali (Hajipur).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Shahnawaz Ali, Advocate.

For the Opposite Party/s : Mr. Chandrasen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Patepur P.S.**

Case No. 92 of 2017 instituted for the offence under Sections 147, 148, 149, 341, 324, 326, 307 and 379 of the Indian Penal Code.

The allegation against the petitioners is that they assaulted the informant with *Farsa* and sword causing injury to the brother and nephew of the informant.

Learned counsel for the petitioners has submitted that there is case and counter case between the parties. The occurrence has taken place on account of land dispute. The daughter-in-law of petitioner No. 1 has filed Patepur P.S. Case No. 93 of 2017 against the informant and others. The injury has been sustained by both sides.

The injury report has been enclosed as Annexure-4 which does not support such assault by *Farsa* and sword.



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 with **Patepur P.S. Case No. 92 of 2017**, 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-X, Hajipur**, 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/-

(Sanjay Priya, J)

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