

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9769 of 2019

Arising Out of PS. Case No.-261 Year-2017 Thana- BIRAUL District- Darbhanga

1. Vijay Prasad Sah @ Vijay Sah (Male), aged about 33 years, son of Ram Narain Sah.
2. Ajay Kumar Sah @ Ajay Sah (Male), aged about 23 years, son of Ram Narain Sah

Both are resident of Village -Soha, P.S.- Biraul, District- Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Biraul P.S. Case No. 261 of 2017,
registered for the offence under Sections 341, 323, 324, 307,
379, 427 and 504/34 of the Indian Penal Code.

Allegation has been made against the petitioner
no.1 to have inflicted *farsa* blow on the head of the informant
and petitioner no.2 gave iron rod blow on the head of the
informant, which hit on his waist.



Looking to the entire facts and circumstances of the case, let the petitioner no.2, namely, Ajay Kumar Sah @ Ajay Sah, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Biraul, Darbhanga, in connection with Biraul P.S. Case no. 261 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

So far the bail of petitioner no.1 is concerned, the same is rejected. However, if the petitioner no.1 surrenders before the Court below within three weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

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