

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18229 of 2019

Arising Out of PS. Case No.-155 Year-2018 Thana- BHAGWANPUR District- Vaishali

1. SANJAY SAH (Male) Son of Damodar Sah aged about 42 yeas.
 2. Raju Bhagat (Male) Son of Parash Bhagat aged about 35 years.
Both are Resident of Village - Sahtha, P.S.- Bhagwanpur, Distt - Vaishali.
- Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Bhagwanpur P.S. Case No. 155/2018 registered under Sections 147/148/447/504/506/341/323/324 /354 /379 of the Indian Penal Code.

Learned counsel for the petitioners submits that although in the first information report there are allegation against these petitioners that they had assaulted causing in jury to the informant but the fact remains that when the case diary was called for by the court below, no injury report was found on the record. Learned counsel submits that the whole allegations of causing injuries are baseless and not



supported by any evidence. It is submitted that the informant and petitioners are co-sharers and they have got some disputes for which they have involved the petitioners in the present case.

Learned A.P.P. for the State is present and has opposed the anticipatory bail of the petitioner.

Considering the facts and circumstances of the case where no injury report could be found on the record and nothing has been brought to the notice of this court showing any serious injury caused to the informant, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - III, Vaishali, Hajipur, in connection with Bhagwanpur P.S. Case No. 155/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of



Criminal Procedure.

However, it will be open for the informant to file an application for cancellation of anticipatory bail if the informant can demonstrate that any serious injury was caused to the informant and her son in the present case.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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