

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28653 of 2019**

Arising Out of PS. Case No.-127 Year-2018 Thana- SHANKARPUR District- Madhepura

1. NASHIB DAS S/o Late Soti Das, R/o village- Jaipura, Ward No. 2, P.S.- Shankarpur, District- Madhepura
2. Shankar Das @ Shankar Kumar S/o Nashib Das, R/o village- Jaipura, Ward No. 2, P.S.- Shankarpur, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      03-05-2019                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Shankarpur P.S. Case No. 127 of 2018 registered for offence punishable under sections 341, 323, 324, 307, 354, 379/34 of the Indian Penal Code.

Both sides have altercated on account of keeping the straw. As has been stated in the FIR that Nashib Das has caused injury by Farsa to Lila Devi and Kailash Das has caused injury by Dabiya to the informant, Sima Devi. The impugned order shows that the injury caused upon Sima Devi and Lila Devi appears to be simple in nature.

The learned counsel for the petitioner submits that



injury upon Sima Devi has not been caused by the petitioners, as per the FIR. Further submission is that there is case and counter case from both sides and both are own agnates.

Looking to the entirety, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Madhepura in connection with Shankarpur P.S. Case No. 127 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bonds.

**(Shivaji Pandey, J)**

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