

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29676 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- AANDAR District- Siwan

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1. Jawahar Lal Prasad, aged about 50 years, Male, Son of Late Ramchiz Bhagat
 2. Dhananjay Bhagat @ Dhanajay Sah, aged about 25 years, Son of Nagendra Bhagat
Both resident of Village - Gangauli Chandauli, P.S.- Andar, District- Siwan

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Rakesh Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-05-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 342, 323, 324, 307, 379, 427, 452, 120B, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Andar P.S. Case No. 05 of 2019.

3. It is submitted that the petitioners have been falsely implicated and accusations of assault are general and omnibus in nature and no specific injury has been attributed to the assault by the petitioners.

4. Learned APP assisted by learned counsel for the informant opposes the anticipatory bail petition. It is stated on behalf of the informant that two of his injuries are grievous in nature while opinion in respect of other injuries has been kept reserved. Other persons from the informant's side have also sustained injuries, opinion on which has also been kept reserved. The petitioners claim



clean antecedents.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IX, Siwan in connection with Andar P.S. Case No. 05 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

6. The provisional bail granted to the petitioners shall be confirmed upon verification by the learned court below that none of the injuries sustained by the informant's side is grievous in nature, failing which their bail bonds shall stand automatically cancelled.

BT/-

(Vikash Jain, J)

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