

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46145 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- MANJHAGARH District- Gopalganj

1. JUGALAL KUMAR @ JAGLAL KUMAR Son of Makhatar Sahani
 2. Ramadhar Sahani Son of Shivpujan Sahani
 3. Sunil Kumar Son of Harindar Sahani
 4. Guddu Kumar Son of Harichandra Sahani
 5. Nanak Kumar Son of Shankar Sahni
- All are resident of Village-Sahaladpur, Naya Tola, P.S-Manjhagarh, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-07-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The counsel for the petitioners submits that Ramadhar Sahani (petitioner no. 2) has already surrendered in the court below and so he wants to withdraw this application with respect to petitioner no. 2.

In such view of the matter, this application is dismissed as withdrawn with respect to petitioner no. 2.

So far petitioner nos. 1 and 3 to 5, they are seeking anticipatory bail in connection with Manjhagarh P.S. Case No.127 of 2019 registered for offence punishable under sections



341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

Allegation has been made, on 29.05.2019, in the evening, the informant along with his family members was sitting at his door. In the meantime, when he had gone to pacify the altercation with his nephew Raj Kishore, all the accused persons started assaulting him with *Lathi*, *Danda*, *Farsa* and *Khanjar* hurling abuses and Ramadhar Sahani assaulted him with *Dab* as a result of which he sustained injury and blood started oozing from his head. When his father rushed to rescue him, he was also assaulted by sword causing cut injury on his head and became unconscious. The specific allegation has been made against Ramadhar Sahani who has already surrendered in the court below and against other petitioners there is general and omnibus allegation.

Looking to the facts and circumstances of the case, the prayer for bail of petitioner nos. 1 and 3 to 5 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 Chief Judicial Magistrate, Gopalganj in connection with



Manjhagarh P.S. Case No.127 of 2019, 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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