

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33426 of 2021

Arising Out of PS. Case No.-173 Year-2020 Thana- SIDHWALIYA District- Gopalganj

1. Malawati Devi W/O Rudal Singh R/O Village-Larauli, P.S-Sidhwalia, District-Gopalganj.
2. Bittu Singh @ Bittu Kumar S/O Rudal Singh R/O Village-Larauli, P.S-Sidhwalia, District-Gopalganj.
3. Angita Devi D/O Rudal Singh, W/O Munna Singh Presently R/O Village-Dahibhata, P.S-Unchakagaon, District-Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Shiv Sager Sharma, Advocate
For the State	:	Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 28-04-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Sidhwalia P.S. Case No.173 of 2020 registered for offences under Sections 341, 323, 324, 325, 307, 385, 504 and 506/34 of the Indian Penal Code.

There is no injury report available in the case diary and it does not reveal from the order-sheet of the learned Additional Sessions Judge that any injury report has been produced and as such, a case under Section 307 of the IPC cannot be made out without examining the injury report.



Considering the aforesaid facts, this application for anticipatory bail is allowed till submission of the charge-sheet.

Accordingly, let petitioners, above-named, in the event of their arrest or surrender within four weeks from today, be released *on bail till submission of charge-sheet* on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Miss Shobhana Tripathi, learned Judicial Magistrate, 1st Class, Gopalganj in connection with Sidhwalia P.S. Case No.173 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and subject to further condition that if the injury report is submitted showing that the injuries sustained by the injured are simple in nature, then the anticipatory bail granted to the petitioners shall be confirmed by the Court below after submission of the charge-sheet. If the injury report shows that the injuries sustained by the injured are grievous in nature, in such a situation, the bail bonds of the petitioners shall stand automatically cancelled and they shall be taken into custody forthwith.

(Sandeep Kumar, J)

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