

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36515 of 2014

Arising Out of PS.Case No. -103 Year- 2014 Thana -BOCHHA District- MUZAFFARPUR

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1. Dashrath Chaudhary S/o Late Bhola Chaudhary, residing at village-
Etbarpur- Taj, P.S.- Bochaha, Dist- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mr. Manish Kumar No.2(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 27-03-2015 Heard Mr. Thakur for the petitioner and Mr. Ram
Chandra Singh, learned APP for the State.

The sole petitioner, apprehending his arrest in Bochaha
P.S. Case No. 103 of 2014 instituted under diverse provisions of
Penal Code including Section 307 IPC, had prayed for grant of
anticipatory bail.

The informant and petitioner are full brothers. On petty
dispute, it is alleged that the petitioner hit the knee with the log
causing injuries which put him on bed under plaster for few days.
Contention of the petitioner is that there is delay in lodging the
case. Even going by the allegations, Section 307 IPC would not be
attracted. The petitioner being brother of the informant undertakes
not to indulge in any such offence once granted the privilege of
anticipatory bail. There is no criminal antecedent of the petitioner.

In the event of arrest or surrender in the Court below

with four weeks, the petitioner abovenamed shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Maushami Singh, J.M. 1st Class, Muzaffarpur in connection with Bochaha P.S. Case No. 103 of 2014 subject to the condition as laid under Section 438(2) of the Code of Criminal Procedure with further following conditions:

- (i) One of the bailers shall be the own/close family members of the petitioner.
- (ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default on two consecutive occasions without any cogent/satisfactory reason, the bail bond of the petitioner shall be cancelled and thereafter the Trial Court will be at liberty to secure his arrest in accordance with law.
- (iii) During the subsistency of the privilege of anticipatory bail, if the petitioner is found indulged in any criminal case then the same shall entail cancellation of bail.

(Kishore Kumar Mandal, J)

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