

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43996 of 2015

Arising Out of PS.Case No. -157 Year- 2014 Thana -BANKA District- BANKA

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1. Amit Yadav, S/o Niranjan Yadav, Resident of Village- Mirjapur, Police Station- Barahat, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 14-10-2015 Heard the Counsel for the petitioner and the APP for the State.

The petitioner seeks protection of anticipatory bail in connection with Banka (Barahat) P.S. Case No. 157 of 2014 registered under Sections 147, 148, 149, 341, 323, 379, 308 and 504 of the Indian Penal Code.

Indisputably, both parties are related to each other. It is alleged that owing to scuffle in the family, the petitioner, who is the son of the sister of the informant, assaulted the wife of the informant on head with *lathi* causing injury. Submission of the petitioner is that the police upon investigation did not find sufficient material and submitted final report. He was not sent up. The injury on the person of the injured has been found to be simple. Petitioner undertakes not to indulge in any such crime if

privileged with anticipatory bail. He has no criminal antecedent.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to 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 learned Chief Judicial Magistrate, Banka in Banka (Barhat) P.S. Case No. 157 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the 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 in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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