

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17048 of 2016

Arising Out of PS.Case No. -202 Year- 2015 Thana -KAKO District- JEHANABAD

Kamlesh Yadav S/o Naresh Yadav R/o Village - Pahal Bigha, P.S. Kako,
District - Jehanabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Singh

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 26-04-2016 Heard Mr. Avinash Kumar Singh, the counsel for the
petitioner, and the counsel for the informant as well as the APP
for the State.

The supplementary affidavit has been filed by the
petitioner.

The sole petitioner herein seeks anticipatory bail in
Kako P.S. Case No. 202 of 2015, registered under Sections 147,
148, 341, 323, 307, 325 & 302 of the Indian Penal Code and
Section 27 of the Arms Act.

On going through the First Information Report, it
appears that both the parties are agnates and the genesis of the
occurrence is land dispute. It is alleged that in the scuffle Nawal
Yadav opened fire at Parmanand Yadav which hit him in thigh,

when Nitish Kumar went to save him, the petitioner assaulted him which caused dislocation/fractured.

Contention of the petitioner is that injured did not receive any grievous injury. The doctor opined that the injury was simple and superficial. The counsel for the petitioner draws attention of the Court to the entire FIR in order to impress that it was a case of land dispute and the parties were asserting their rights. The petitioner has no criminal antecedents.

In the facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J. M. Jehanabad in Kako P.S. Case No. 202 of 2015 on condition that one of the bailors shall be his own/close family member. The petitioner shall appear on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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