

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52012 of 2015

Arising Out of PS.Case No. -269 Year- 2015 Thana -BIRAUL District- DARBHANGA

Chandeshwar Yadav @ Bikaha, Son of Muneshwar Yadav, Resident of
Village- Neuri Tole Dath, P.S.- Biraul, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan

For the Opposite Party/s : Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 12-02-2016

Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 307/34 and some other allied offences under the Indian Penal Code.

Though, the petitioner is named in the F.I.R, vide Annexure-1, as an accused and was allegedly armed with iron rod, but taking into consideration the fact that on account of assault made by the petitioner, the informant has not sustained injury on his vital part and further taking into consideration the fact that the nature of injury does not appear to be result of the hard and blunt substance and also taking into consideration the fact that he is the first offender, as submitted by the learned counsel appearing on behalf of the petitioner, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail.

In the event of his arrest or surrender in the Court below within a period of four weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bonds of Rs. 25,000/- with two sureties of the like amount each to the

satisfaction of the learned Sub-Divisional Judicial Magistrate, Biraul, Darbhanga in connection with Biraul P.S. Case No. 269 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C and subject to the further conditions that:

- (A). One of the bailors must be government servant or close family member of the petitioner, who will file an affidavit in the Court below showing his relationship with the petitioner,
- (B). if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving an opportunity of hearing to all concerned and
- (C). the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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