

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58157 of 2015

Arising Out of PS.Case No. -139 Year- 2014 Thana -KUMARGHAND District- MADHEPURA

Chandan Yadav, son of Late Banilal Yadav, Resident of Village- Guria,
Police Station- Kumarkhand, District- Madhepura. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr. U.S. Modi, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 30-01-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Kumarkhand P.S. Case No. 139 of 2014, disclosing offences under Sections 147, 148, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

It is alleged against the petitioner that he hit the informant's son with spade (Kudali).

Learned counsel for the petitioner has submitted that the petitioner has no criminal antecedent and the occurrence has taken place because of land dispute between the petitioner's family and the family of the informant, who are agnates. He has also submitted that there is a counter version to the same occurrence and the allegations as contained in the present case are exaggerated version of the real facts. He has also submitted that there is no chance of the petitioner tampering with the evidence

from the course of investigation or trial. He contends that no tangible purpose would be served if the petitioner is taken into custody as he is ready to co-operate with the Police in course of investigation.

In view of the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Kumarkhand P.S. Case No. 139 of 2014, corresponding to G.R. No. 1552 of 2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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