

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47982 of 2016

Arising Out of PS.Case No. -354 Year- 2016 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

=====

1. Anil Prasad @ Anil Pradesh Son of Raj Nandan Prasad, Resident of
Village- Laxmi Bigha, P.S.- Hilsa, district- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Ramesh Chandra

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-12-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks pre arrest bail in connection
with Hilsa P.S. case no. 354 of 2016, registered under Sections
341, 342, 323, 307 and 504/34 of the IPC.

On going through the FIR, it appears that out of
family feud the FIR has been lodged alleging that his own brother
assaulting him on his head which, however, caused simply injury.

Learned counsel submits that both the parties are on
litigating terms owing to the land dispute. There is an
unexplained delay of 04 days in lodging the FIR. Referring to the
injury report, it is submitted that the injuries are superficial/simple
in nature. It is further highlighted that if the petitioner released on
bail, the petitioner would amicably settle the dispute in the family.



In the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 354 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--

