

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58232 of 2015

Arising Out of PS.Case No. -172 Year- 2015 Thana -
BHARGAWAN District- ARRARIA

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Madhav Kumar @ Madhao @ Madho @ Madhu Kumar
Madhav, Son of Upendra Yadav, Resident of Village -
Laxmipur, PS Bhargama, District Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party : Mr. U.L.Verma, APP

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

ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioner and
learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Bhargama PS Case No.172 of 2015 disclosing offences under Sections 323, 325, 307, 379 and 504/34 of the Indian Penal Code.

From the First Information Report itself, it appears that the case came to be instituted nearly 17 days after the date of occurrence. The explanation that because of the injuries which the informant had sustained, he could not lodge the FIR immediately after the date of occurrence does not appear to be much convincing. It is the submission made on behalf of the petitioner that the injuries have been

found to be simple which falsifies the prosecution's case.
The petitioner has no criminal antecedent.

Considering the above submission, this application is allowed. It is directed that in the event of his arrest, the petitioner above-named, shall be released on bail on furnishing bail bond 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, Araria, in connection with Bhargama PS Case No. 172 of 2015, subject to the conditions as laid down under Section 438(2) CrPC.

This is subject to the further condition that the petitioner shall present himself before the police/Court below, 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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