

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7983 of 2016

Arising Out of PS.Case No. -151 Year- 2015 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Ashok Mahto Son of Sadan Mahto Vill+Po- Mahua, P.s Baikunthpur
Distt Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar

For the Opposite Party/s : Mr. Anil Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 18-07-2016

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Baikunthpur P. S. Case No. 151 of 2015, disclosing offences under Sections 341,323,324,307,504/34 of the Indian Penal Code.

From the First Information Report, it appears that the occurrence had taken place over a dispute relating to passage and it began with an altercation between the accused person and the informant. The allegation against the petitioner is of having assaulted the informant with farsa causing head injury.

Learned counsel for the petitioner has submitted that the petitioner has no criminal antecedent and the occurrence had taken place because of civil dispute between

the parties. Since there is no chance that the petitioner would be fleeing from the course of investigation or trial, no purpose would be served, if the petitioner is taken into custody in this matter.

Considering the submissions so advanced, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the court below 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 Chief Judicial Magistrate, Gopalganj in Baikunthpur P. S. Case No. 151 of 2015, subject to the condition 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)

ArunKumar/-

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