

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39997 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -KAUAKOL District- NAWADA

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1. Bishundeo Yadav @ Vishnudeo Yadav @ Shiv Kumar Prasad Yadav Son
of Late Horil Yadav, resident of Village- Jogachak, P.S. Kawakole, District
Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kawakole P.S. Case No.
36 of 2017 instituted for the offence under Section-307 & other minor
Sections of the Indian Penal Code.

It is alleged that the petitioner assaulted the informant with
Khanti on his head due to which, he sustained head injury.

The injury report has been annexed as Annexure-4 to this
petition wherein the doctor has found the injuries to be simple in nature.
As such, from the injury report itself, it appears that there is no
repetition of blow which is mentioned in the written report. There is
land dispute between the parties.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner named above in the event of
his arrest or surrender in the court below within six weeks from the date



of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kawakole P.S. Case No. 36 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Nawada subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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