

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47471 of 2017

Arising Out of PS.Case No. -166 Year- 2017 Thana -GAYA KOTWALI District- GAYA

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Sanjay Kumar @ Gandhi son of Late Kamla Prasad, resident of Mohalla-
Bangla Asthan, Maharani Road, P.S.- Kotwali, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Thakur, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar – 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Kotwali P.S.

Case No. 166 of 2017 instituted for the offence under Sections
147, 148, 341 and 323 of the Indian Penal Code.

As per written report, the allegation against the
petitioner is of assaulting Shankar Yadav on his head with iron
rod.

Learned Sessions Judge has mentioned in the
impugned order that in paragraph-53 of the case diary the injury
report of the injured Shankar Yadav has been mentioned which
shows that he sustained swelling 3” x 2” over right arm and after
supplementary injury report, the nature was found grievous. As
such, the injury was not found on vital part of the body of Shankar



Yadav.

In such circumstances, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Kotwali P.S. Case No. 166 of 2017, G.R. No. 2282 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, Distt. Gaya, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) 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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