

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18985 of 2017

Arising Out of PS.Case No. -228 Year- 2016 Thana -WAJIRGANJ District- GAYA

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Raju Yadav, Son of Mahendra Yadav, resident of Village- Birney, P.S.-
Wazirganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Advocate.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Wazirganj P.S.

Case No. 228 of 2016 instituted for the offence under Sections
147, 148, 149, 452, 341, 323, 325, 307, 354, 427, 379 of the
Indian Penal Code and Section 27 of the Arms Act.

As per written report, this petitioner assaulted
Nagendra Mishra, uncle of the informant, with iron rod on his
hand on account of which his hand was fractured. Baliram Yadav
also assaulted Nagendra Mishra with *Garansa* on his head causing
cut injury.

It has been submitted that Baliram Yadav has already
been granted anticipatory bail by this Court vide order dated
27.3.2017 passed in Cr. Misc. 7654 of 2017. The allegation



against this petitioner is of assaulting the uncle of the informant namely, Nagendra Mishra on his hand with rod.

In the impugned order, learned Sessions judge has mentioned that doctor has found injury No. 2 on the wrist of the injured, which was grievous in nature.

In this manner, from the injury report it appears that there was no injury on any vital part of the body of the uncle of the informant. There is no repetition of blow.

Considering the facts and circumstances of the case, 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 Wazirganj P.S. Case No. 228 of 2016, 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 Additional Chief Judicial Magistrate, 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.

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(Sanjay Priya, J)

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