

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23221 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -MAHESHKHUNT District- KHAGARIA

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1. Pintu Sah, son of Chamru Sah, resident of Village- Keshav Chowk, P.S.-
Mahesh Khurd, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Maheshkhut P.S.
Case No. 11 of 2017 instituted for the offence under Sections-307,
379 & other minor sections of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the
injury sustained by son of the informant is simple in nature. It has
further been submitted that the case has been compromised
between the parties. The occurrence relates to land dispute. There
is delay of about more than a month in filing of the complaint case
which was sent to concerned police station u/S 156(3) of the Cr.
P.C.

As per written report, the petitioner assaulted the son of
the informant with Chanauta, causing injury on his head.



The injury report has been annexed as Annexure-2 wherein the doctor has found the injury, to be simple in nature. A compromise petition has been filed in between the parties, which has been annexed as Annexure-3 to this petition. It has been submitted by the petitioner that there is land dispute between the parties. In paragraph-3, it has been mentioned that petitioner has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four 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 Maheshkhut P.S. Case No. 11 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-III, Khagaria subject to condition as laid down u/S 438(2) of the 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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