

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30032 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -JAKKANPUR District- PATNA

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1. Balaji Son of Late Suraj Mohan Paswan, resident of Village- Chakjan, P.S. Naubatpur, District- Patna, At present Renter in the house of Krishna Rai, Karbigahia, P.S. Jakkanpur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Gayatri Devi, W/o Balaji, D/o Devsaran Paswan, resident of Village- Chakjan, P.S. Naubatpur, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner who is husband of informant apprehends arrest in Jakkanpur P.S. Case No. 63 of 2017 instituted for the offence under Sections-341, 323 & 307 of the Indian Penal Code.

It has been submitted that there is no ingredient of offence u/S 307 of the Indian Penal Code in the instant case. It has further been submitted that the wife of the petitioner has also filed case u/S 498A of the Indian Penal Code against the petitioner, in which, the matter has been settled.

From the allegation in the written report in the instant case, it appears that the informant has alleged that the petitioner assaulted her, causing injury on hand and also pressed her neck.



As such there is general and omnibus allegation against the petitioner.

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 in Jakkanpur P.S. Case No. 63 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna 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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