

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49164 of 2017

Arising Out of PS.Case No. -176 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Md. Kasmuddin, Son of Md. Hakim, resident of Village- Gajpati,
Madhopur (Madhopur Gajpati), P.S. Desri Chandpura, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagnnath Singh

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Desri P.S. Case No. 176
of 2017 instituted for the offence under Section-307 & other minor
Sections of the Indian Penal Code.

There is allegation in the written report that this petitioner
assaulted the informant with knife and his associates assaulted the
informant with Katta on the head.

Counsel for the informant has appeared and submitted that
earlier he has filed a case in which, son of the petitioner has been
remanded to jail and the petitioner is pressurizing to withdraw that case.

The injury report of the informant is annexed as Annexure-
3 to this petition wherein no injury of knife has been found on the
person of the injured. One lacerated bleeding wound and bruise was
found on the person of the injured. The injuries were caused by hard



and blunt object and the same was found to be simple in nature.

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 Desri P.S. Case No. 176 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Vaishali at Hajipur 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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