

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33784 of 2017

Arising Out of PS.Case No. -161 Year- 2014 Thana -AMARPUR District- BANKA

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1. Md. Arwaj @ Md. Naujab Nadim, son of Md. Naushad, resident of
village- Shobhanpur, Katoria, P.S. Amarpur, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. K. Tiwary, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 23-08-2017

Heard learned counsel for the Petitioner and the
learned APP for State.

Petitioner apprehends his arrest in Amarpur P.S. Case
No.161 of 2014 instituted for the offence under Section(s) 147,
148, 149, 323, 324, 307, 379, 504, 506 Indian Penal Code.

There is allegation against this petitioner that he
assaulted the brother of the informant with *lathi*.

It has been submitted that the police after
investigation submitted charge-sheet against five accused
persons and did not sent up this petitioner for trial. However,
learned Court below has taken cognizance against this petitioner
also.

Case diary has been received. In para 16 of the case
diary, police has mentioned the Injury Report of the Informant



and his brother. The doctor has found simple injury on the person of brother of the informant caused by hard and blunt substance.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Amarpur P.S. Case No.161 of 2014, he shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, 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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