

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38600 of 2017

Arising Out of PS.Case No. -56 Year- 2017 Thana -KASIMBAZAR District- MUNGER

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1. Bikram Sahni, son of Ashok Sahni, resident of Mohalla- Lallu Pokhar,
P.S.- Kasim Bazar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 30-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in Kasim Bazar P.S.

Case No.56 of 2017 instituted for the offence under Section(s)
341, 323, 353, 307, 504/34 Indian Penal Code.

It has been submitted that Section 353 Indian Penal
Code will not be applicable because occurrence has not taken
place with any public authority.

In the written report, it is alleged that during the
work of cutting of soil with JCB Machine, local persons assaulted
the employee of the Company of the Informant causing injury to
Ram Pramod Singh and Dheeraj Sharma. Injury Report of
Dheeraj Sharma has been annexed as Annexure-2, which shows
that he has sustained simple injury caused by hard and blunt
object.



In the written report, general and omnibus allegation has been made that this petitioner with other local people had assaulted the employees of the company.

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 Kasim Bazar P.S. Case No.56 of 2017, 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, Munger, 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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