

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46489 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -BISHUNPUR District- DARBHANGA

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Chandan Singh, Son of Nagendra Singh, Resident of village - Godhiyari,
P.S. - Bishanpur, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Nita Kumari, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bishanpur P.S.

Case No. 40 of 2017 instituted for the offence under Sections 147, 149,
341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

There is allegation against this petitioner of assaulting the
informant on his head with *Tangi*.

Learned counsel for the petitioner has submitted that only
one injury has been found on the head of the informant and the Doctor
has opined the said injury to be simple in nature. It has further been
submitted that the informant is uncle of this petitioner. There is
Pattidari dispute between the parties. The petitioner has been falsely
implicated in this case.

Case diary has been received wherein the injury report of
the informant is available.



The learned A.P.P. after looking into the case diary and injury report has submitted that the Doctor has opined the injuries to be simple in nature caused by hard and blunt substance.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bishanpur P.S. Case No. 40 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Darbhanga, 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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