

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42165 of 2017

Arising Out of PS.Case No. -153 Year- 2017 Thana -SABAUR District- BHAGALPUR

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1. Aman Kumar Nirala @ Aman Kumar Yadav Son of Late Mahesh Prasad Yadav @ Mahesh Yadav, R/o Village- Chandhari, P.S.- Sabour, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Jain

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sabaur P.S. Case No. 153 of 2017 instituted for the offence under Sections-307, 326, 379, 452 & other minor Sections of the Indian Penal Code.

It has been submitted that there is case and counter case between the parties. Sabour P.S. Case No. 152 of 2017 has been registered by the petitioner against the informant and others.

In the instant case, there is allegation against this petitioner that he assaulted the informant with butt of the pistol on his head.

The case diary has been received.

The injury report of the informant is available at paragraph- 43 of the case diary wherein the doctor has found no fracture injury on the person of the informant and the injury has been caused by hard and blunt substance.



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 Sabaur P.S. Case No. 153 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-X, Bhagalpur 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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