

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38795 of 2017

Arising Out of PS.Case No. -147 Year- 2017 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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Kishun Mukhiya, Son of Late Ramayan Mukhiya, R/o Village- Harkatwa,
P.S.- Adapur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 28-08-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Adapur P.S.
- Case No. 147 of 2017 instituted for the offence under Sections 341, 323, 324, 307, 504, 506 and 427/34 of the Indian Penal Code.
- It is alleged against the petitioner that he assaulted the informant with *Dhabia* on his neck and head with intention to kill him.
- Learned Sessions Judge has mentioned in the impugned order that no injury is available in the case diary.
- From the written report itself it appears that occurrence took place due to land dispute.
- 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 Adapur P.S. Case No. 147 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 Sub Divisional Judicial Magistrate, Raxaul at Motihari, 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.

S.Ali/-

(Sanjay Priya, J)

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