

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41874 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -AMDABAD District- KATIHAR

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1. Nejam, son of Abdul Hussain, r/o village- Jhabbu Tola, P.S.- Amdabad,
District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Pushpa Sinha, APP

Mr. Anisur Rahman, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 08-09-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in Amdabad P.S.

Case No.94 of 2017 instituted for the offence under Section(s)

341, 323, 324, 307, 504, 147, 148, 149 Indian Penal Code.

It has been alleged that the petitioner assaulted the
father of the informant with sword.

Counsel for the petitioner has submitted that there is
case and counter case between the parties. Wife of the petitioner
has lodged Amdabad P.S. Case No.95 of 2017 against the
informant and others. It has further been submitted that other co-
accused have already been granted anticipatory bail by this Court
vide order dated 22.08.2017 passed in Cr. Misc. No.38654 of
2017.



Counsel for the Opposite Party No.2 has appeared and opposed the prayer for bail.

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 Amdabad P.S. Case No.94 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 Judicial Magistrate, 1st class, Katihar, 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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