

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56892 of 2017

Arising Out of PS.Case No. -146 Year- 2016 Thana -SINGHIYA District- SAMASTIPUR

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1. Rajkumar Singh, S/o Shivnandan Singh aged about 44 years, R/o Village- Kundal, P.S.- Singhia, Dist.- Samstipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh, Adv.
For the informant : Mr. Anshu Dhar Sharma, Adv.
For the State : Mr. Mustaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Singhiya P.S. Case No. 146 of 2016 instituted for the offence under Sections-325, 307, 379 & other minor Sections of the Indian Penal Code.

It has been submitted that there is land dispute between the parties. There is case and counter case between the parties. Counter case bearing Sindhiya P.S. Case No. 145 of 2016 has been filed by Ram Sakha Singh against the informant and others.

In the instant case, there is allegation against this petitioner of assaulting the brother of the informant, Krishna Mohan Singh with Farsa on the head.

The injury report of brother of the informant has been enclosed as Annexure-2 series wherein the doctor has found one injury lacerated wound 5cm x 5mm x scalp deep on the left side of middle of



the scalp. Besides this, there was other injuries also on the leg, shoulder, arm etc. of the informant. The final opinion has been given from DMCH which is available in paragraph-26 of the case diary wherein the doctor has opined the injury No. 1 of three to be grievous in nature which is on the leg of the injured.

From the nature of injury, sustained by the injured on the head, it appears that there is no any repetition of blow. Counsel for the petitioner has further submitted that the other accused with similar allegation has been granted anticipatory bail by a coordinate bench of this court vide order dated 19-08-2017 passed in Cr. Misc. No. 24349 of 2017.

Counsel for the informant has appeared and opposed the prayer.

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 Singhiya P.S. Case No. 146 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-V, Rosera, Samastipur 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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