

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58479 of 2017

Arising Out of PS.Case No. -181 Year- 2016 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Kausar Imam, S/o Zafar Imam, R/o Village- Deorwa, P.S.- Lauriya,
District- West Champaran at Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP
Mr. Md. Fazle Karim, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 13-12-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Informant.

Petitioner apprehends his arrest in **Lauriya P.S.**

Case No.181 of 2016 instituted for the offence under Section(s)
307 and other allied Sections of the Indian Penal Code and
Section 27 of the Arms Act.

Counsel for the petitioner has submitted that there
has been free fight between the parties. Case and counter case has
been filed. Lauriya P.S. Case No. 183 of 2016 has been filed
against the informant and others in which petitioner has sustained
grievous injury.

In the instant case, there is allegation that on account



of altercation for sewerage water petitioner and other accused assaulted the informant and his family members causing injuries to them. Injury report of all the three injured are annexed as Annexure-2 series. Injury of two injured are simple in nature and injury on the person of Gufran was found to be grievous in nature.

Counsel for the Informant 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 **Lauriya P.S. Case No.181 of 2016**, 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 **Chief Judicial Magistrate, West Champaran, Bettiah**, 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.

JA/- **(Sanjay Priya, J)**

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