

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56884 of 2017

Arising Out of PS.Case No. -184 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

1. MD. CHHOTU @ CHHOTU @ MD. ASIF HUSSAIN, S/o Md. Abid Hussain @ Md. Aabid, Resident of Khajasaria, Khaajpur, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017 Heard learned counsel for the petitioner and leaned Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection with Laheriasarai P. S. Case No. 184 of 2016 registered for offences punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

In the written report, there is specific allegation against Zakir of assaulting the informant with iron rod on his head and on protest, all the accused persons assaulted the informant with fist, slaps, lathi and iron rod.

It is submitted by the learned counsel for the petitioner that the allegation against the petitioner is general and omnibus. It is evident from paragraph-3 of this petition that he has clean antecedent.

Learned Additional Public Prosecutor opposes the



prayer of bail.

In the facts and circumstances of the case, the prayer of Anticipatory bail of petitioner is allowed and in the event of his arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Laheriasarai P.S.Case No. 184 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, subject to the conditions laid down under Section 438 (2) Cr. P. C. with other 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 tamper 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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