

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16135 of 2017

Arising Out of PS.Case No. -441 Year- 2016 Thana -PATORI District- SAMASTIPUR

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Lakhindra Paswan, son of Late Manu Paswan, Resident of Village -
Pachhiyari Tara Dhamaun, Police Station - Patory, District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Patory P.S.

Case No. 441 of 2016 instituted for the offence under Sections
341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

It has been submitted that there is land dispute
between the parties. There is allegation against the petitioner that
he assaulted the informant with Farsa.

As per written report, the occurrence took place on
11.11.2016. The injury report has been annexed as Annexure-2
wherein the doctor who has issued the injury report, has put his
signature and date as 7.10.2016. Even from the injury report, it
appears that there is no repetition of blow.

It is mentioned in paragraph-3 of the bail petition that
petitioner has no criminal antecedent.



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 Patory P.S. Case No. 441 of 2016, 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 Chief Judicial Magistrate, Samastipur, Distt. Samastipur, 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.

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(Sanjay Priya, J)

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