

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12128 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -BELSAND District- SITAMARHI

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1. Navin Mandal Son of Sri Shankar Mandal, Resident of Village Patahi,
P.S.- Belsand, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-03-2017 Heard learned counsel for the petitioner as well as

learned Addl. Public Prosecutor.

The petitioner prays for anticipatory bail in connection with Belsand P.S. case no. 97 of 2016 registered for the offence punishable under Sections 324, 307 and other sections of the Indian Penal Code.

It is submitted on behalf of petitioner that the occurrence occurred on trivial issue. It is further submitted that informant is the tempo driver and while he was driving his tempo, he was stopped by the co-accused as one lady was pregnant and he has to take her to the hospital but the tempo driver had tried to escape, as such, occurrence took place. It is also argued that in FIR, there is allegation of assault against the petitioner but the



injuries are simple in nature.

Heard learned A.P.P. also.

Having heard both sides. In view of the submissions made on behalf of petitioner and the fact that FIR shows that the scuffle took place on trivial issue, the anticipatory bail application of petitioner is allowed and he is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 25,000/-(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Sri K.K. Shahi, Judicial Magistrate 1st class, Sitamarhi in connection with Belsand P.S. case no. 97 of 2016 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a condition that bailors should be the local one having sufficient property within the jurisdiction of learned court below and with further condition that petitioner will cooperate and assist in the investigation of the case and if he fails to assist the investigating officer, the prosecution shall be at liberty to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J.)

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