

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14993 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -BIHPUR District- BHAGALPUR

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1. Lulan Kunwar @ Mritunjay Kunwar @ Mritunjay Kumar, Son of Late Ram Saran Kunwar, Residet of Village+Post Office- Sonbarsa, Police Station- Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abdul Wadood

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bihpur P.S. Case No. 18 of 2017 instituted for the offence under Section-307 & other minor sections of the Indian Penal Code and 27 of the Arms Act.

As per written report, there is specific allegation against co-accused Sarvesh Kunwar @ Sarla of assaulting him with lathi. There is general and omnibus allegation against this petitioner. The injury report is annexed as Annexure-3 series wherein, the doctor has opined that injury No. 1 found on the leg was grievous. In paragraph-3, it has been mentioned that petitioners have no criminal antecedent.

In such circumstances, this anticipatory bail petition is



allowed and it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four 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 Bihpur P.S. Case No. 18 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Naugachia subject to conditions 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 petitioners 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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