

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29679 of 2017

Arising Out of PS.Case No. -88 Year- 2016 Thana -ROUH District- NAWADA

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Bhola Yadav, Son of Sadhu Yadav, Resident of Village-Bhandajor, P.S.-
Roh, District-Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Roh P.S. Case No.
88 of 2016 instituted for the offence under Sections 341, 323, 307 and
504/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
allegation against the petitioner and co-accused Navin Yadav is of
assaulting the daughter-in-law of the informant Rita Devi on her head
with *lathi* but the Doctor has found only one injury on her person
which was simple in nature.

The injury report has been enclosed as Annexure-2
wherein Doctor has found lacerated wound on her right side head size
2¼” x 1/3” muscle deep and pain on whole of the body.

Learned counsel for the opposite party No. 2 has appeared
and opposed the prayer for anticipatory bail of the petitioner.



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 Roh P.S. Case No. 88 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 Additional Chief Judicial Magistrate-VI, Nawada, 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.

(Sanjay Priya, J)

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