

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33642 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -BIHRA District- SAHARSA

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1. Birendra Mistri, S/o Ramlakhan Mistri, resident of village- Rahua
(Tulsiyahi), P.S.- Bihra, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 04-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in Bihra P.S. Case
No.36 of 2017 instituted for the offence under Section(s) 147,
148, 149, 341, 324, 307, 379, 504, 506 Indian Penal Code.

There is allegation in the written report that
petitioner along with Raj Kishore Mistri assaulted the Informant
with sword, iron rod etc. indiscriminately causing injuries on her
head.

Case diary has been received in which Injury Report
is available. The doctor has found only one injury on the head of
the Informant which was found to be simple in nature.

In the facts and circumstances of the case, prayer of
the petitioner for grant of anticipatory bail is allowed. In the



event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Bihra P.S. Case No.36 of 2017, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, 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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