

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34553 of 2017

Arising Out of PS.Case No. -117 Year- 2017 Thana -VAISHALI District- VAISHALI(HAJIPUR)

1. Amit Kumar, son of Raj Kishore Rai, R/o Village- Bhagwanpur Ratti,
P.S. & District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in Vaishali P.S.

Case No.117 of 2017 instituted for the offence under Section(s)

307, 504/34 Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, petitioner is alleged to have
fired causing injury in the shoulder of the Informant.

It has been submitted that occurrence is alleged to
have taken place on 29.04.2017, whereas, *fard-e-beyan* was
recorded on 03.05.2017 and the First Information Report has
been registered on 07.05.2017.

Learned counsel for the petitioner has submitted that
there is no Injury Report available in the case diary. There is no
eye witness to the occurrence. Witnesses in para 7 to 10 of the



case diary have stated that injuries have been sustained by the Informant due to crackers, which were being burst during marriage ceremony. Other witnesses in para 29 and 30 of the case diary have stated that there was firing from both sides and the Informant sustained injury in that firing.

Counsel for the petitioner has further submitted that compromise has taken place between the parties and Compromise Petition has been filed in the Court below, which has been annexed as Annexure-2.

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 **Vaishali P.S. Case No.117 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, Vaishali at Hajipur**, 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.

JA/-

(Sanjay Priya, J)

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