

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32809 of 2017

Arising Out of PS.Case No. -132 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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Umesh Chaudhary, son of Brahamdeo Chaudhary, resident of Village -
Vajidapur, P.S. - Sheikhpora, District Sheikhpora.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary, Advocate
Counsel for the informant : Mr. Pramod Kumar Sinha, Advocate
For the State : Smt. Reena Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Sheikhpora
P.S. Case No. 132 of 2017, G.R. No. 454 of 2017 instituted for the
offence under Sections 147, 148, 149, 341, 323, 324, 307, 427,
504 and 379 of the Indian Penal Code.

It has been submitted that there is land dispute
between the parties and a Partition Suit is also pending vide
Partition Suit No. 88 of 2016. It has further been submitted that on
the basis of written report of Surendra Choudhary, Sheikhpora
P.S. Case No. 131 of 2017 was registered against the informant
and other accused persons. The instant case has been filed as a
counter blast after lodging the aforesaid case against Upendra
Choudhary (informant) and others.



As per written report, the allegation against the petitioner is of assaulting the informant with *Katta* causing injury on his forehead.

The injury report of the informant has been annexed as Annexure-4 wherein the doctor has found incised wound size 1" x 1/3" x 1/3" over right forehead caused by sharp edged weapon.

Considering the fact that there is case and counter case and there is land dispute between the parties, 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 Sheikhpura P.S. Case No. 132 of 2017, G.R. No. 454 of 2017, 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 Chief Judicial Magistrate, Sheikhpura, 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.

S.Ali/-

(Sanjay Priya, J)

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