

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39538 of 2017

Arising Out of PS.Case No. -397 Year- 2016 Thana -BAKHTIARPUR District- SAHARSA

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Binod Yadav, Son of Janardan Yadav, R/o Village- Lalpur Badia, P.S.-
Bakhtiarpur, District- Saharasa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Singh -5, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bakhtiarpur P.S.

Case No. 397 of 2016 instituted for the offence under Sections 147,
148, 341, 323, 325, 504, 379 and 506/34 of the Indian Penal Code.

It has been submitted that both parties are agnates. There
has been free fight between co-accused Pawan Yadav and the
informant, for which. Pawan Yadav has filed Bakhtiarpur P.S. Case
No. 396 of 2016 for the same date and time in which four injuries were
sustained on person of Lalkeshwar Yadav. In the instant case there is
allegation against petitioner of assaulting Arjun Yadav with iron rod.

The injury report of the informant has been annexed as
Annexure-3/2 which shows that he sustained three injuries out of which
the Doctor has found one injury on right pastoral vertex of the
informant.



In such circumstances, 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 Bakhtiarpur P.S. Case No. 397 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 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.

S.Ali/-

(Sanjay Priya, J)

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