

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47912 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -PATEPUR District- VAISHALI(HAJIPUR)

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1. Kamlesh Ray Son of Rajdev Rai, R/o Village- Kheserahi, P.S.- Patepur,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Sri Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Patepur P.S. Case No.
23 of 2017 instituted for the offence under Sections-307, 326, 379 &
other minor Sections of the Indian Penal Code.

It has been submitted that the informant is own uncle of the
petitioner. There is land dispute between the parties.

The counter case bearing Patepur P.S. Case No. 25 of 2017
has also been filed by brother of the petitioner.

In the instant case, there is allegation against the petitioner
of assaulting the informant with Farsa on his head.

The injury report is annexed as Annexure-2 to this petition
wherein the doctor found the injuries to be simple in nature.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner named above in the event



of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Patepur P.S. Case No. 23 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-Xth, Vaishali at Hajipur subject to condition as laid down u/S 438(2) of the 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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