

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51314 of 2017

Arising Out of PS.Case No. -92 Year- 2014 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Vinay Kumar S/o Daroga Sah, R/o Tadhwa Nandpur, P.S.- Bairiya,
District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Bairiya P.S. Case No. 92 of 2014 instituted for the offence under Sections 341,323,324,307,354,379,504 and 325/34 of the IPC.

It has been submitted on behalf of the petitioner that the instant case is a counter blast of Bairiya P.S. Case No. 95 of 2014 filed by the co-accused Shyam Sunder Sah against the informant and seven others. Shyam Sunder Sah recorded his fardbeyan at M.J.K. Hospital in injured condition.

Allegation against the petitioner is that he attempted to outrage modesty of informant's sister when informant's sister tried to rescue her from his clutches, he took out knife and gave blow on her neck, which hit above her right eye.



It has been submitted on behalf of the petitioner that injury report enclosed in Annexure-3 to this petition shows that the doctor has found one swelling on the left cheek which has been caused by hard and blunt substance. Learned counsel for the petitioner further submits that all the other co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 37678 of 2017 vide order dated 10.08.2017.

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 in connection with Bairiya P.S. Case No. 92 of 2014 to the satisfaction of learned Additional Chief Judicial Magistrate-IVth, Bettiah 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 bonds of the petitioner and (3) if the petitioner tamper 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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