

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54816 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -RAJIVNAGAR District- PATNA

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Manoj Kumar @ Manoj Kumar Chaurasia @ Manoj Chaurasia, S/o Late Keshav Prasad Chaurasia, Resident of North Jayprakash Nagar, P.O.- Ashiana Nagar, P.S.- Rajiv Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Rajiv Nagar P.S. Case No. 43 of 2017** instituted for the offence under Sections 341, 323, 307, 504, 506, 509 and 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that there is dispute between the parties for construction of latrine tank. The informant and petitioner is next door neighbour. There is case and counter case between the parties and wife of petitioner also filed Rajiv Nagar P.S. Case No. 42 of 2017 against the informant and others in which the wife of petitioner has sustained injury on her head by rod.

In the instant case there is general and omnibus allegation against this petitioner that he along with other co-



accused assaulted son of the informant with lathi.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, 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 **Rajiv Nagar P.S. Case No. 43 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 **Sub Judge III, Patna**, 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.

(Sanjay Priya, J)

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