

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54772 of 2017

Arising Out of PS.Case No. -75 Year- 2017 Thana -HULASGANJ District- JEHANABAD

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1. Bidyanand Yadav, son of Sri Lalji Yadav, resident of Village- Niramani Math, P.S.- Hulasganj, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Murari Prasad Sinha

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Hulasganj P.S. Case No. 75 of 2017 instituted for the offence under Sections-379, 307 & other minor Sections of the Indian Penal Code.

It has been submitted that in the instant case, there is general and omnibus allegation against the petitioner and other accused persons.

There is allegation against the petitioner that he caused fire-arm injury to brother of the informant namely Niranjan Yadav but the injury report of the injured Niranjan Yadav has been enclosed as Annexure-3 series. The doctor has found the injuries on the person of all the injured to be simple in nature caused by hard and blunt substance.

From the written report itself, it is apparent that allegation



of assault is general and omnibus and there is no specific allegation of overt act against the petitioner.

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 Hulasganj P.S. Case No. 75 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Jehanabad 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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