

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41584 of 2017

Arising Out of PS.Case No. -97 Year- 2017 Thana -FALKAHA District- KATIHAR

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Nafis Haider, Son of Atikur Rahman, Resident of Village - Morsanda,
Police Station Falka, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 11-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Falka P.S.

Case No. 97 of 2017 instituted for the offence under Sections 353
and 366/34 of the Indian Penal Code.

It has been submitted that there is allegation in the
written report that this petitioner along with co-accused Ghughla
@ Krishna Kumar assaulted the informant with iron rod on his
head causing bleeding injury. It has further been submitted that
co-accused Krishna Kumar @ Ghughla has already been granted
anticipatory bail by a coordinate Bench of this Court vide order
dated 19.08.2017 passed in Cr. Misc. 37259 of 2017.

The injury report of the informant has been enclosed
as Annexure-2 wherein the Doctor has found both the injuries



were simple in nature caused by sharp substance.

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 Falka P.S. Case No. 97 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 Chief Judicial Magistrate, Katihar, 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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