

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50303 of 2017

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1. Md. Abdullah @ Abdullah, S/o Adus Samad, R/o- Vill.- Bharatkol, P.S. Prampur (Rosna), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh

For the Opposite Party/s : Mr. Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Prampur (Rosna O.P.) P.S. Case No. 129 of 2017 instituted for the offence under Sections-307, 354 & other minor Sections of the Indian Penal Code.

It has been submitted that there is admitted land dispute between the parties. A proceeding u/S 107 of the Cr.P.C. has also been initiated between the parties. It has further been submitted that the petitioner has filed counter case bearing Prampur P.S. Case No. 130 of 2017 for the same date of occurrence.

In the written report, there is allegation against this petitioner that he assaulted the informant by means of iron rod on the head.

Case diary has been received.

The learned APP has submitted that there is no injury report in the case diary.

Counsel for opposite party No. 2 has appeared and submitted that the informant was referred to PMCH. Counsel for opposite party No. 2



has produced OPD ticket of Katihar Medical College and submitted that the informant was referred to higher centre but in the aforesaid OPD ticket, there is no mention about the injury which has been sustained by the informant.

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 Pranpur (Rosna O.P.) P.S. Case No. 129 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Katihar 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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