

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40971 of 2017

Arising Out of PS.Case No. -163 Year- 2016 Thana -KAKO District- JEHANABAD

=====

1. Shambhu Nath @ Shambhu Yadav Son of Suryadeo Yadav, R/o Village-Tikuliapar, P.S.- Kako, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad

For the Opposite Party/s : Mr. Sri Bharat Lal

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kako P.S. Case No. 163 of 2016 instituted for the offence under Section-307 & other minor Sections of the Indian Penal Code.

The allegation against the petitioner is that he assaulted the informant on head with Khanti whereas allegation against co-accused Ramesh Yadav is of assaulting the informant on head with butt of the pistol.

The injury report of the informant has been annexed as Annexure-3 to this petition wherein the doctor has found one lacerated wound skin deep on right lateral part of skull and lacerated wound on right wrist joint, caused by hard and blunt substance. After X-ray, the doctor has found no bony fracture of skull and right wrist joint and injury has been described to be simple in nature.



It has been submitted that counter case has also been filed by father of the petitioner vide Kako P.S. Case No. 157 of 2016.

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 Kako P.S. Case No. 163 of 2016 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)

A.K.V./-

U		T	
---	--	---	--

