

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41324 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -BHANGWANPUR HAT District- SIWAN

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1. Vinay Rai @ Vinay Ray, Son of Gautam Rai, Resident of Village-
Mahana, P.S.- Bhagwanpur Hat, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, 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 Bhagwanpur Haat
P.S. Case No. 149 of 2016 instituted for the offence under Sections
341, 323, 324, 379, 504/34 of the Indian Penal Code.

It has been submitted that petitioner after investigation
was not sent up for trial but the cognizance has been taken by the
learned Magistrate after submission of Final Form.

There is allegation in the written report that the petitioner
assaulted the informant with *Farsa* causing injury on his neck.

The injury report has been enclosed as Annexure-2
wherein the Doctor has found one injury on his neck caused by hard
and blunt substance. There was no repetition of blow. The injury found
on the person of the informant was caused by hard and blunt substance
whereas the petitioner is said to have assaulted the informant with



Farsa.

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 Bhagwanpur Haat P.S. Case No. 149 of 2016, 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 Additional Chief Judicial Magistrate-II, Siwan, 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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