

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55595 of 2017

Arising Out of PS.Case No. -143 Year- 2017 Thana -GHANSHYAMPUR District- DARBHANGA

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1. Baljit Mahato @ Baljeet Mahto S/o Mahavir Mahto, R/o Village-Pohaddi Bela, P.S.- Ghanshyampur, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Ghanshyampur P.S.

Case No. 143 of 2017 instituted for the offence under Sections-307, 379
& other minor Sections of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the occurrence has taken place due to throwing of water near the mosque. Now, good sense has prevailed and parties have compromised the case. The copy of compromise petition is annexed as Annexure-3 to this petition.

There is allegation against the petitioner that he gave Khanti blow on the head of father of the informant but there is no any injury report available in the case diary, which will be apparent from the impugned order. It has been submitted that counter case bearing Ghanshyampur P.S. Case No. 142 of 2017 has also been filed by the



petitioner against the informant and others.

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 Ghanshyampur P.S. Case No. 143 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Biraul, Darbanga 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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