IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37316 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -KATRAHA District- VAISHALI (HAJIPUR)

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Jagan Paswan, son of Late Bhola Paswan, resident of Village-Gurmia, P.S. Kartahan, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7 22-06-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Kartahan P.S. Case No. 23 of 2016 instituted for the offence under Sections 323, 341, 324, 307, 379 and 34 of the Indian Penal Code.

There is allegation against the petitioner that he assaulted the informant with *Fasuli* on his head causing injury to him.

Case diary has been received.

The injury report is available in the case diary from which it appears that two injuries have been found on the scalp of the informant. Injury No. 1 was bleeding injury and after stitching the petitioner was referred for C.T. Scan. The supplementary injury report is also available in the case diary wherein the Doctor has after C.T. Scan found both the injuries to be simple in nature.

From the written report itself it appears that occurrence

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has taken place on account of land dispute.

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 Kartahan P.S. Case No. 23 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-5, Vaishali at Hajipur, 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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