

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32295 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

1. Sarfu Shah, son of Kalamuddin Shah, resident of village - Rampur, P.S.
- Chainpur, District - Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 14-07-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Chainpur
P.S. Case No.36 of 2017 instituted for the offence under
Section(s) 341, 323, 307, 379, 504/34 Indian Penal Code.

It has been submitted that the instant case is counter
blast of Chainpur P.S. Case No.35 of 2017 filed by the elder
brother of this petitioner against the informant and others. Instant
case has been lodged by the informant after lodging of the earlier
case i.e. Chainpur P.S. Case No.35 of 2017 by the elder brother
of the petitioner.

In the instant case there is allegation that this
petitioner and other accused persons after stopping the
motorcycle of the informant assaulted him with *Lathi* and *Danda*.



Injury Report has been annexed as Annexure-3, wherein, the doctor has found simple injury on the person of both injured.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Chainpur P.S. Case No.36 of 2017, 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 the Additional Chief Judicial Magistrate, II, Kaimur at Bhabhua, 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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