

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36808 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Radhey Rabidas, son of Ramroop Rabidas, resident of village-Basnima,
P.S.-Harnaut, Distt.-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 10-08-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Harnaut P.S.
Case No.98 of 2017 instituted for the offence under Section(s)
341, 323, 308, 337, 504/34 Indian Penal Code.

It has been submitted that the occurrence took place
on account of land dispute. There has been free fight between the
parties. Instant case has been filed as counter blast of Harnaut
P.S. Case No.97 of 2017, which has been lodged by Dev Sharan
Rabidas against the father of the informant and others.

In the instant case, it is alleged that the accused
persons assaulted the informant with *Lathi/Danda* when he raised
objection on the construction of passage. Injury report
(Annexure-2) shows that informant sustained simple injury.



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 Harnaut P.S. Case No.98 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, V, Nalanda, at Biharsharif, 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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