

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 52757 of 2017

Arising Out of PS.Case No. -163 Year- 2017 Thana -KAKO District- JEHANABAD

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Kaushal Mistry, Son of Ganauri Mistry, Resident of Village - Rasula, Police
Station – Kako (Bhelawar), District - Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Pravesh Nath Tiwari, Advocate

For the Opposite Party : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 336, 427 and 307/34 of the Indian Penal Code.

Submission of the learned counsel for the petitioner is that a bare perusal of the FIR would reveal that there is no allegation of commission of assault against the petitioner. Hence, offence under Section 307 of the Indian Penal Code is not made out against the petitioner. The occurrence, allegedly, took place for land dispute. There is case and counter case.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt



of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Kako (Bhelawar) Police Station Case No. 163 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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