

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47721 of 2018

Arising Out of PS.Case No. -549 Year- 2017 Thana -GOGRI District- KHAGARIA

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1. Soni Mahto S/o Dayaram Mahto, R/o Vill.- Chandpur, P.S.- Gogari,
District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Gogari P.S.
Case No. 549/2017, instituted for the offences punishable under
Sections 341, 323, 307 and 447/34 of the Indian Penal Code.

In the written report, allegation against this petitioner
is of assaulting informant with *lathi* on the head.

Learned counsel for the petitioner has submitted that
injury report of informant is annexed as Annexure-2 to the bail
petition which shows that he has sustained simple injury. It is
further submitted that there is land dispute between the parties.

Considering the facts and circumstances of the case,
the 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 Gogari P.S. Case No. 549/2017, 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 learned Chief Judicial Magistrate Khagaria, subject to the conditions as laid down under Section 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 tamper 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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