

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17951 of 2018

Arising Out of PS.Case No. -217 Year- 2017 Thana -KAUAKOL District- NAWADA

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Akash Kumar. S/o Vijay Lal, R/o Village- Kawakole, P.S.- Kawakole,
District Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate.

For the Opposite Party/s : Mr. S. Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-04-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kawakole P.S.**

Case No. 217 of 2017 instituted for the offence under Sections
341, 323, 385, 307, 379, 504, 506 and 34 of the Indian Penal
Code.

It has been submitted that there has been free fight
from both sides. The petitioner has also filed Kawakole P.S. Case
No. 216 of 2017 against the informant and his two sons in which
petitioner has received five injuries on his person and the father of
the petitioner namely Vijay Lal has received three injuries.

In the instant case there is allegation that petitioner
has assaulted the informant with iron rod near his eye and when
his younger son Pramod Kumar came to save him, he was also



assaulted by the petitioner with butt of revolver.

The injury report of the informant has been enclosed as Annexure-5 wherein the Doctor has found one lacerated wound on forehead and face and opinion has been kept reserved. The injury report of the petitioner and his father has been enclosed as Annexure-3 and 4 from which it appears that both of them have sustained injuries on forehead, scalp and on face and opinion regarding injury has been kept reserved.

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 **Kawakole P.S. Case No. 217 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 **learned Additional Chief Judicial Magistrate-IV, Nawada**, 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 his absence on two consecutive dates without proper and reasonable reason



will be liable to cancel his bail bond 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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