

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40767 of 2017

Arising Out of PS.Case No. -108 Year- 2016 Thana -CHANDMUNDI District- JAMUI

- =====
1. Topan Yadav, Son of Sukdeo Yadav, Resident of Village-Ramsadih, P.S. Chandramandih, Dist. Jamui.
 2. Suresh Yadav, Son of Babulal Yadav, Resident of Village-Bone, P.S. Chandramandih, Dist. Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate.

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Chandramandih P.S. Case No. 108 of 2016** instituted for the offence under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

There is allegation against petitioner No. 1 of assaulting the son of the informant with *Tangi* on his head whereas allegation against petitioner No. 2 is of assaulting the son of the informant on temporal area (*Kanpatti*).

Case diary has been received wherein the injury report of the son of the informant is available. The Doctor has found hair line fracture of left parietal bone and opined the injury to be



grievous in nature.

Therefore, seeing the grievous nature of injury caused to the son of the informant on his Kanpatti by petitioner No. 1, this Court is not inclined to grant anticipatory bail to petitioner No. 1 namely, Topan Yadav.

Prayer for anticipatory bail of petitioner No. 1 stands rejected. He may surrender before the court below and make prayer for regular bail.

So far petitioner No. 2 namely, Suresh Yadav is concerned, there is general and omnibus allegation against him of assaulting the son the informant on his Kanpatti, prayer for anticipatory bail of the petitioner No. 2 namely, Suresh Yadav is allowed. In the event of surrender/arrest of the petitioner No. 2, named above, within six weeks from today, in connection with **Chandramandih P.S. Case No. 108 of 2016**, 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, 2nd, Jamui**, 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.

S.Ali/-

(Sanjay Priya, J)

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