

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10108 of 2018

Arising Out of PS. Case No.-180 Year-2017 Thana- KALYANPUR District- East Champaran

Ramagya Hazara son of late Ganga Hazara @ late Ganga Paswan resident of
village Khatolwa, P.S. Kalyanpur, Dist. East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma and Abhishek Kr. @
Sonu Babu, Advocates.

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Kalyanpur P.S. case no.
180 of 2017 instituted for the offence under Section(s) 147,
448, 323, 325, 307 379, 354B and 504 of the Indian Penal Code
and Section 3/4 of Witchcraft Practices Prohibition Act, 1999
(Dian Act).

Learned counsel for the petitioner has submitted that there
is case and counter case between the parties on account of land
dispute. This petitioner has also filed Kalyanpur P.S. case no.
169 of 2017 against the informant and others in which the
petitioner has sustained injury on the head. The FIR and injury
report of the aforesaid case has been annexed as Annexure-2 to



the bail petition. The instant case is the counter blast of the aforesaid case.

The allegation against this petitioner is that he assaulted the husband of the informant namely Sunil Kumar Bharti on head by means of lathi. The injury report of the husband of the informant is enclosed as Annexure-3/1 to the bail petition wherein the doctor has found injury on the right forearm which was opined to be grievous in nature. The aforesaid injury is not on any vital part of the body.

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 Kalyanpur P.S. case no. 180/17, 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 CJM East Champaran at Motihari, 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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