

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20817 of 2018

Arising Out of PS.Case No. -166 Year- 2017 Thana -SAHIYARA District- SITAMARHI

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Sanjit Rai @ Sanjit Kumar Yadav S/o late Jewar Lal Rai @ Jewal Lal Rai,
R/o Village- Basbitti, P.S.- Sahiyara, District- Sitamarhi. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

2 04-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with Sahiara P.S. Case No. 166 of 2017 registered for the offences punishable under sections 341, 323, 324, 307, 504, 506, 379/34 of the Indian Penal Code.

Allegation as per written report is that this petitioner and seven others armed with deadly weapons came at the place of occurrence and brutally assaulted the informant. Allegation against the petitioner is that he assaulted the informant on his head by axe.

The learned counsel for the petitioner submits that for fishing in a pond, both the parties indulged in a scuffle for which a counter case has been lodged by this petitioner vide Sahiara P.S. Case No. 167 of 2017. The injury report of the informant annexed



as Annexure-2 shows that the injury was simple in nature.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the case and counter case between the parties and the injury report of the informant as simple in nature, the prayer for anticipatory bail of the petitioner is allowed and he in the event of arrest or surrender before the court below within a period of six weeks, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in connection with Sahiara P.S. Case No. 166 of 2017 subject to the condition as laid down under section 438 (2) of the Criminal Procedure Code. Further condition is that (1) one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. (2) The petitioner will not induce any witness or tamper with the evidence. (3) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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