

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11556 of 2018

Arising Out of PS. Case No.-64 Year-2017 Thana- DANDARI District- Begusarai

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Falendra Bhushan Choudhary @ Fanindra Bhushan Choudhary, Son of Kamleshwari Choudhary, Resident of Village-Dandari, Police Station-Dandari, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-04-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Dandari P.S. Case No. 64 of 2017, G.R. No. 4145 of 2017, instituted for the offence under Sections 341,323,354,307,504/34 of the IPC.

It has been submitted on behalf of the petitioner that the present case has been filed as counter blast of earlier case filed by mother of petitioner bearing Complaint Case No. 1005 C of 2016. It has further been submitted that the brother of the petitioner namely Deepak Choudhary also filed case against the informant and others on the date of occurrence vide Dandari P.S. Case No. 66 of 2017. In the instant case, allegation against the petitioner is that he assaulted on the head of son of the informant with iron rod causing injury on the head.



From perusal of the injury report enclosed as Annexure-4 to this petition, it appears that injuries were found on the person of injured to be simple in nature.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Dandari P.S. Case No. 64 of 2017, G.R. No. 4145 of 2017, to the satisfaction of the learned Judicial Magistrate, Begusarai, subject to condition as laid down u/S 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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