

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41321 of 2017

Arising Out of PS.Case No. -113 Year- 2017 Thana -MANJHI District- SARAN

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1. Shamshad Shai, son of Kalam Shai, resident of village- Nandpur, P.S.-
Manjhi, District- Saran at Chhapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, APP

For the Opposite Party/s : Mr. Sri Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 08-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Manjhi P.S.**

Case No.113 of 2017 instituted for the offence under Section(s)
147, 148, 323, 307/34 Indian Penal Code.

There is allegation against this petitioner that he
assaulted the informant with *Daab* on the head twice causing
injuries to him.

Counsel for the petitioner has submitted that the
informant had committed house trespass and looted articles of the
house of this petitioner on 30.06.2017 for which Complaint Case
No.2093 of 2017 has been filed by the petitioner on 03.07.2017.
Injury found on the person of the informant was simple in nature.

Case diary has been received in which injury report
is available, which shows that the injured has sustained simple



injury.

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 **Manjhi P.S. Case No.113 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 the **Additional Chief Judicial Magistrate, V, Saran at Chapra**, 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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