

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53776 of 2017

Arising Out of PS.Case No. -120 Year- 2017 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. Santosh Rai, Son of Punit Rai, Resident of Village-Barkurwa, P.S.-
Vaishali, District-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 02-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Vaishali P.S. Case No.
120 of 2017 instituted for the offence under Sections-307, 504, 506/34
of the Indian Penal Code.

It has been submitted that the petitioner was not present at
the time of occurrence because he was working in Punjab in a private
firm. There is no injury on the person of the injured.

The instant case has been filed due to land dispute between
the parties as both the parties are neighbour.

In the written report, the allegation against the petitioner is
that he assaulted the husband of informant with knife on different parts
of the body.

The case diary has been received.

The learned APP has submitted that in the case diary it is



merely mentioned by a private doctor that injured was the informant and referred to PMCH but there is no injury report.

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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Vaishali P.S. Case No. 120 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur 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 date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will liable to 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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