

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53070 of 2017

Arising Out of PS.Case No. -198 Year- 2017 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Shams Tarbez @ Shams Tarbez Alam @ Shams Tabrez Alam @ Shams
Tabrez, Son of Azizullah @ Azizullah Rampuri, Resident of Village-
Rampur Kodar, Police Station- Kesariya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kesariya P.S. Case
No. 198 of 2017 instituted for the offence under Sections
341,323,324,325,307,504,506/34 of the IPC.

It is alleged in the written report that this petitioner
along with other accused persons assaulted and gave knife blow
on the neck of the son of the informant.

Learned counsel for the petitioner has submitted that on
4.7.2017 the informant and his son have assaulted the petitioner
and his father for which petitioner has filed case vide Kesariya
P.S. Case No. 197 of 2017 and for that reason the instant case has
been filed against the petitioner. It has been further submitted that
the injury report has been annexed as Annexure-2 to this petition,
wherein, the doctor found injury on the person of injured, 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 Kesariya P.S. Case No. 198 of 2017 to the satisfaction of learned A.C.J.M.-XI, East Champaran at Motihari 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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