

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31533 of 2018

Arising Out of PS.Case No. -376 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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Kishore Kunal Shaishav, S/o Krishna Ballav Kranti Yadav, R/o Ward No. 06, Shiv Mandir Road, Madhepura, P.S.+Disrict- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 13-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Madhepura P.S. Case No. 376 of 2017**, instituted for the offence under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioner has submitted that no offence under Section 307 of Indian Penal Code is made out in the case. There is no injury sustained by the informant. It has further been submitted that petitioner is suffering from mental disease since January 2017. He was under treatment of local Dr. Anuj Kumar Singh of CNS Hospital, but did not recover. Xerox copy of discharge summary of CNS Hospital has been enclosed as Annexure-2.



It is alleged in the written report that informant made firing but it did not hit the informant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Madhepura P.S. Case No. 376 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 learned **Chief Judicial Magistrate, Madhepura**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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