

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38615 of 2018

Arising Out of PS.C.ase No. -159 Year- 2017 Thana -KHAJEKALA District- PATNA

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1. Raja Chaudhary S/o Kallu Chaudhary, R/o Vill.- Lala Tola, Pakki Gauriya, P.S.- Khajekala, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra, Advocate

For the Opposite Party/s : Smt. Veena Rani Prasadd., APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Khajekala P.S. Case No. 159/2017, instituted for the offences punishable under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the allegation of assault is not specific rather omnibus. He has further submitted that the injury found on the person of informant was simple in nature. In the written report, it is alleged that 3 to 4 unknown persons assaulted the informant by iron rod causing injury on his head.

Considering the facts and circumstances of the case, the 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 Khajekala P.S. Case No. 159/2017, 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 learned Sub-Divisional Judicial Magistrate, Patna City, subject to the conditions as laid down under Section 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 automatically cancel bail bond of the petitioner and (3) if petitioner tamper 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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