

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44351 of 2018

Arising Out of PS.Case No. -31 Year- 2018 Thana -SIKANDARA District- JAMUI

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1. Pawan Mistri S/o Nagendra Mistri @ Narendra Mistri, R/o Vill.-
Pursanda, P.S.- Sikandra, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 27-07-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Sikandra P.S.

Case No. 31/2018, instituted for the offences punishable under

Sections 147, 341, 323 and 307 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that

for similar allegation, the informant has filed a complaint case

bearing No. 155C of 2018 dated 05.02.2018, in which the petitioner

has already been granted bail by the learned court below on

28.05.2018. It is further submitted that the father of the petitioner

had earlier filed complaint case no. 92C of 2018 against the

informant and others on 24.01.2018 before the learned CJM, Jamui,

in which cognizance has already been taken. In the instant case, it is

alleged that the petitioner assaulted the informant with iron rod. The



injury report has been enclosed as Annexure-4 wherein the doctor has found simple injury.

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 Sikandra P.S. Case No. 31/2018, 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 Sri Manish Kumar Pandey, the learned Judicial Magistrate, 1st Class, Jamui, 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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