

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3250 of 2018

Arising Out of PS.Case No. -222 Year- 2016 Thana -KHAIRA District- JAMUI

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1. Babulal Yadav, son of Naresh Yadav, resident of Village- Lalpur, Police Station- Khaira, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 19-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Khaira P.S. Case No.222 of 2016** instituted for the offence under Section(s) 307 and other allied sections of Indian Penal Code.

In the written report, allegation against this petitioner is that he along with Surendra Yadav, Sakaldeo Yadav, Pappu Yadav and Onkar Yadav assaulted the younger brother of the informant, Chandan Singh, with lathi on the head, hand and different parts of the body.

Injury report of Chandan Singh has been enclosed as Annexure-2, wherein, doctor has found all the injuries simple in nature except injury no.3, which was found grievous i.e. swelling



of left arm. On x-ray, fracture was found.

Counsel for the petitioner has submitted that there is case and counter case between the parties. Nephew of this petitioner has lodged Khaira P.S. Case No.223 of 2016 against the informant and others.

It has further been submitted that co-accused, Barun Yadav, has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 19.09.2017 passed in Cr. Misc. No.40596 of 2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Khaira P.S. Case No.222 of 2016**, 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 **Chief Judicial Magistrate, Jamui**, 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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