

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44763 of 2018

Arising Out of PS.Case No. -238 Year- 2016 Thana -BISFI District- MADHUBANI

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1. Md. Chand S/o Lal @ Md. Lal, R/o Vill.- Simari West Tola, P.S.- Bisfi,
District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Bisfi P.S. Case No. 238/2016, instituted for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379 and 504 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that in the written report, it is alleged that co-accused Md. Lal assaulted the informant with *Dabia* on his head. The petitioner is alleged to have assaulted the informant in the stomach with *Dabia*. It is mentioned in the impugned order that the doctor has found one injury on the scalp of size 3 ½” X ½” caused by sharp weapon, which has not been attributed against the petitioner.

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 Bisfi P.S. Case No. 238/2016, 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 learned Additional Chief Judicial Magistrate, Benipatti, Madhubani, 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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