

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46526 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -ASHOK PAPER MILL District- DARBHANGA

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1. Kausal Kumar Chaudhary @ Mannu Chaudhary S/o Devendra Chaudhary, resident of Village- Bishanpur, P.S. A.P.M. (Ashok Paper Mill), District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate.

For the Opposite Party/s : Mr. Akbar Ali, APP 7.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in A.P.M. P.S. Case No. 18/2018, instituted for the offences punishable under Sections 147, 148, 149, 447, 448, 341, 342, 323, 307, 302, 354 and 379 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that in the written report, there is specific allegation against co-accused Veeru Chaudhary and Rajiv Chaudhary of assaulting the nephew of informant with iron rod causing him injury, who died subsequently. There is no any allegation of specific overt act against this 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 A.P.M. P.S. Case No. 18/2018, 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 the learned A.C.J.M. Vth, Darbhanga, 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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