

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24722 of 2018

Arising Out of PS.Case No. -92 Year- 2015 Thana -SIRDALA District- NAWADA

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Musafir Prasad Yadav, S/o Late Ganauri Prasad Yadav, R/o Vill.- Chiraiya
Goriyada, P.S.- Sirdalla, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate.

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-05-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Sirdalla P.S. Case No. 092 of 2015** instituted for the offence under Sections 147, 148, 149, 341, 323, 307, 504 of the Indian Penal Code, Sections 27 and 37 of the Arms Act.

Learned counsel for the petitioner has submitted that occurrence has taken place on account of land dispute. The matter has been settled between the parties amicably and a compromise petition has been filed on 26.05.2015, copy of which has been enclosed as Annexure-2.

From the written report itself it appears that no firearm injury was caused to anybody. It is alleged in the written report that informant and Renu Devi sustained injuries on their head but the injuries found on the head of both the injured were simple in nature as mentioned in the impugned order. It is also apparent from the written



report that occurrence has taken place at the time of measurement of land between the parties.

Considering the facts and circumstances of the case, 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 **Sirdalla P.S. Case No. 092 of 2015**, 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 learned **Additional Chief Judicial Magistrate-Vth, Nawada**, 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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