

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40028 of 2018

Arising Out of PS.Case No. -39 Year- 2018 Thana -NAWAKOTHI District- BEGUSARAI

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Md. Rakim Mian @ Md. Rakim, S/o Subhan Miyan, resident of Village-
Rajakpur, P.S.- Nawkothi, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Manish Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Nawkothi P.S.**

Case No.39 of 2018 instituted for the offence under Sections 341,
323, 307, 379, 504, 385 and 506/34 of the Indian Penal Code.

Counsel for the petitioner submits that petitioner has
no criminal antecedent. The occurrence is said to have taken place
on 6.5.2018 and case has been lodged on 7.5.2018.

It is alleged in the written report that petitioner
assaulted Md. Azad with iron rod on his head causing injury to
him and he fell down on the ground.

Case diary has been received. There is no injury
report available in the case diary.

The Sessions Judge has also not mentioned about



injury report in the impugned order.

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 **Nawkothi P.S. Case No.39 of 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 Raghubir Prasad, learned Judicial Magistrate 1st Class, Begusarai**, 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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