

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2935 of 2018

Arising Out of PS.Case No. -12 Year- 2015 Thana -SRI NAGAR District- MADHEPURA

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1. Md. Nanha, S/o Late Md. Shaukat, R/o Village- Madni Nagar,
Mangalbara, P.S.- Shrinagar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 09-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Srinagar P.S.**

Case No.12 of 2015 instituted for the offence under Section(s)
307 and other allied Sections of the Indian Penal Code.

Allegation against the petitioner is that he assaulted
Bibi Mehrun with *farsa* causing injury on the head.

Counsel for the petitioner has mentioned in para 11
of the bail petition that the case diary does not reveal that Mehrun
has sustained any injury nor she has been examined by any
doctor. No injury report has been brought on record. There is
case and counter case between the parties on account of land
dispute.

It is further submitted that counter case has been



filed by Samina Khatoon, w/o Md. Salim, who is one of the accused, vide Srinagar P.S. Case No.13 of 2015.

It has further been submitted that co-accused have been granted anticipatory bail by co-ordinate Benches of this Court by order dated 27.07.2016 passed in Cr. Misc. No.18227 of 2016 and order dated 08.02.2017 passed in Cr. Misc. No.2338 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 **Srinagar P.S. Case No.12 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 the **Additional Chief Judicial Magistrate- II, Madhepura**, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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.

JA/-

(Sanjay Priya, J)

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