

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29374 of 2018

Arising Out of PS.Case No. -400 Year- 2015 Thana -COMPLAINT CASE District- LAKHISARAI

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Sunil Yadav, son of Kesho Yadav, Resident of Village- Manpur, P.S. Chanan, District Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sabita Devi, wife of Anil Yadav, Resident of Village- Manpur, P.O. Maliya, P.S. Chanan, District- Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate.

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 11-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Lakhisarai**
Complaint Case No. 400 C of 2015 instituted for the offence under
Sections 376, 511, 323 and 504 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the instant case has been lodged by the complainant on account of land dispute. The injury report of the informant has been enclosed as Annexure-2 wherein the Doctor has found no injury on her person. It is clearly mentioned in the injury report that victim was examined as out door patient, but she was not found to be injured. The petitioner has brought the matter before *Gram Kutchheri, Raj Maliya*, in which it was decided that allegation was found to be totally false. The petitioner is *Bhainsur* of the complainant and only because of land dispute the



instant case has been filed by the complainant.

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 **Lakhisarai Complaint Case No. 400 C 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 **Sri Kumar Praphakar, learned Judicial Magistrate, 1st Class, Lakhisarai**, 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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