

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3088 of 2018

Arising Out of PS.Case No. -55 Year- 2017 Thana -HASPURA District- AURANGABAD

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1. Sarswat Kumar, Son of Ramji Yadav, R/o Village-Dihuri, P.S. Haspura,
District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Advocate
For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 19-02-2018

Learned counsel for the petitioner seeks permission to make necessary correction in the prayer portion with regard to name of the Court below. Prayer is allowed.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends his arrest in **Haspura P.S. Case No.55 of 2017** instituted for the offence under Section(s) 307 and other allied sections of the Indian Penal Code.

It has been submitted that there is case and counter case between the parties. Present case is counter blast of Haspura P.S. Case No.56 of 2017 filed by this petitioner against the informant and other family members.

In the instant case, there is allegation that on the issue of casting roof altercation took place and this petitioner assaulted the informant with *lathi*, *Danda* etc.



Injury report has been annexed as Annexure-3, which shows that the informant has sustained simple injury.

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 **Haspura P.S. Case No.55 of 2017**, 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 **Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad**, 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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