

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41373 of 2018

Arising Out of PS.C.ase No. -106 Year- 2018 Thana -AKBARPUR District- NAWADA

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1. TUDU GHOSH @ TATU GHOSH S/o Ram Balak Yada, R/o Vill.-
Baliya Bujurg, P.S.- Akbarpur in the District of Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma, Advocate

For the Opposite Party/s : Mr. Manoj Kumar – 1, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Akbarpur P.S.
Case No. 106/2018 instituted for the offences under Sections 341,
323, 448 and 354/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the instant case has been lodged on account of land dispute between
the parties. The occurrence took place on 22.04.2018 whereas the
F.I.R. has been lodged after delay of ten days, i.e. on 02.05.2018.
The petitioner is an army man and does not bear any criminal
antecedent. Further it has been submitted that on the date of
occurrence, the petitioner was not present in the village.

Considering the facts and circumstances of the case, the



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 Akbarpur P.S. Case No. 106/2018, 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 the learned Additional Chief Judicial Magistrate-I, Nawada, subject to the conditions as laid down under Section 438(2) of the 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 tamper 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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