

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14453 of 2018

Arising Out of PS.Case No. -700 Year- 2017 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Aman Kumar @ Amal Kumar S/o Late Achitanand Singh @ Achchatanand Singh, R/o Mohalla- Pandit Gali Asalgarhi, P.S.- Biharsharif, District- Nalanda, Permanent R/o Village- Akbarpur, P.S.- Akbarpur, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Adv.

For the informant Mr. Binit Kumar, Adv.

Miss. Sandhya Kumari, Adv.

For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-05-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Bihar P.S. Case No. 700 of 2017 instituted for the offence under Sections- 341, 323, 326, 307, 379/34 of the Indian Penal Code.

It is alleged in the written report that petitioner has assaulted the husband of the informant by means of sharp cutting weapons.

Learned counsel for the petitioner has submitted that occurrence has taken place on account of land dispute. The petitioner has now entered into a compromise before the court of Chief Judicial Magistrate, which is Annexure-4 to this petition. It is mentioned in the compromise petition that petitioner is Nandoshi of the informant. Injury



as sustained by the husband of the informant, on his right arm, is simple in nature. In paragraph-3 of the petition, it has been mentioned that the petitioner has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bihar P.S. Case No. 700 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif, Nalanda subject to condition as laid down u/S 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 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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