

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55824 of 2017

Arising Out of PS.Case No. -321 Year- 2017 Thana -KAHALGAON District- BHAGALPUR

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1. Amlesh Yadav, Son of Binodi Yadav, Resident of Village- Ranipur
Lagharia, P.S. Kahalgaon, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 23-01-2018

Heard learned counsel for the petitioners and the State.

The petitioner apprehends arrest in Kahalgaon P.S. Case
No. 321 of 2017 instituted for the offence under Sections-323, 341,
307, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that both
parties are own agnates. Some dispute has occurred due to partition of
the land. The allegation against the petitioner is that he has assaulted
the informant with iron rod, causing head injury. Case diary has been
received wherein doctor has found one lacerated wound on right
parietal region of the head and one skin deep lacerated wound on
middle finger. There is no allegation of repetition of blow. Compromise
has taken place between the parties. The compromise petition has been
filed before the lower court, which is annexed as Annexure-3 to the
petition.



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 Kahalgaon P.S. Case No. 321 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur 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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