

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53414 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -MEHANDIA District- JEHANABAD

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1. Manoj Kumar @ Manoj Prasad Son of late Suraj Singh Resident of
Village- Shivpur, Police Station- Mahendia, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Mahendia P.S. Case No.
43 of 2017 instituted for the offence under Section-307 & other minor
Sections of the Indian Penal Code.

The allegation against this petitioner is of assaulting the
informant with iron rod on the head.

The case diary has been received wherein the injury report
of the informant is available and the doctor has found one injury caused
by hard and blunt object on the head of the informant, to be simple in
nature.

It has been submitted on behalf of the petitioner that in the
written report itself, it is mentioned that this petitioner fell down and
sustained injury by bricks and thereafter, he again got up and assaulted
the informant with iron rod. It has also been submitted that co-accused



namely, Ramraj Prasad with similar allegation, has been granted anticipatory bail by a coordinate bench of this court passed vide order dated 12-12-2017 passed in Cr. Misc. No. 47144 of 2017

The doctor has found the injury on the person of the informant to be simple in nature.

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 in Mahendia P.S. Case No. 43 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Arwal 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 liable to 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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