

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15922 of 2018

Arising Out of PS.Case No. -468 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Ayush Kumar @ Ayush Yadav, S/o Khelawan Yadav, R/o Village-
Patuana, P.S.- Bihar, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate.
For the informant : Mr. Ajay Mukherjee, Advocate.
Mr. Ganesh Sharma, Advocate.
For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-06-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends his arrest in **Bihar P.S.**
Case No. 468 of 2017 instituted for the offence under Sections
323, 341, 324, 504, 506, 325, 379/34 of the Indian Penal Code and
Section 27 of the Arms Act.

In the written report it is alleged that petitioner and
Aslok Yadav assaulted the informant with iron rod. Aslok Yadav
assaulted brother of informant with iron rod due to which his both
hands became ineffective. It is further alleged that Nitesh Kumar
and Suraj Kumar assaulted the father of the informant causing
injury on his hand. Aslok Yadav assaulted father of informant



with *khanti* causing cut injury.

Case diary has been received.

The injury report is available in paragraphs 38 and 39 of the case diary wherein the Doctor has found simple injury on the person of the informant. Injury No. 3 of father of informant has been found to be grievous in nature.

In the written report there is general and omnibus allegation against the petitioner.

Learned counsel for petitioner has submitted that only one case is pending against the petitioner.

Learned counsel for the informant has appeared and submitted that in the event other criminal case except Bihar P.S. Case No. 375 of 2015 as mentioned in paragraph-3 of the bail petition is found pending against the petitioner, then the bail bonds of the petitioner will be liable to be cancelled on filing a petition by the informant in the case to which the counsel for the petitioner has no objection.

Considering the facts and circumstances of the case, 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 **Bihar P.S. Case No. 468 of 2016**, 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 learned **Chief Judicial Magistrate, Nalanda at Biharsharif**, 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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