

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59199 of 2017

Arising Out of PS.Case No. -114 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Maya Sah, Son of Late Tapeswar Sah, resident of Village- Lagunia,
P.S.- Paharpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 05-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Paharpur P.S. Case No. 114 of 2017 instituted for the offence under Sections 341, 323, 324, 307, 379, 504, 34 of the IPC and Section 3/4 of the Dain Act .

Learned counsel for the petitioner has submitted that there is case and counter case between the parties. It has been further submitted that instant case is a counter blast of Paharpur P.S. Case No. 113 of 2017 which was registered on 07.05.2017 on the basis of complaint lodged by the wife of the present petitioner. In the instant case the allegation against the petitioner is that he assaulted the informant with iron rod on his hand. The case diary has been received, wherein, doctor has found pain in left body part



and opinion has been kept reserved.

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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Paharpur P.S. Case No. 114 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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