

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57927 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -MEHDIGANJ District- PATNA

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1. Kanhai Mahto, son of Rajendra Mahato, Resident of Village- Loha Ka Pool, Police Station- Menhadiganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 31-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Mehandiganj P.S. Case No. 57 of 2017 instituted for the offence under Sections-307, 325 & other minor Sections of the Indian Penal Code.

It has been submitted on behalf of the petitioner that from the written report itself, no offence u/S 307 of the Indian Penal Code s made out as the informant is said to have sustained injury on his hand. It has further been submitted that in the case diary, no injury report is available although the I.O. has tried to obtain the same.

Learned APP on verification of case diary has submitted that there is report of I.O. that he has tried to obtain the injury report but could not obtain the same. It has further been subnmitted that compromise has taken place between the parties and compromise petition has been filed as Anenxure-2 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 in Mehandiganj P.S. Case No. 57 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Patna 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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