

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3120 of 2018

Arising Out of PS.Case No. -101 Year- 2017 Thana -GWALPARA District- MADHEPURA

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Biren Yadav S/o Late Sada Nand Yadav, R/o Village- Jhanjhari, P.S.-
Gwalpara, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate.

For the Opposite Party/s : Md. Ansarul Haque, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Gwalpara P.S.**

Case No. 101 of 2017 instituted for the offence under Sections 147,
148, 149, 341, 323, 427, 307, 504, 506 of the Indian Penal Code and
Section 27 of the Arms Act.

It is alleged in the written report that the petitioner
assaulted one Arbaz Khan @ Laddu Khan with butt of rifle on account
of which he sustained injury.

The injury report has been enclosed as Annexure-3
wherein the Doctor has found only bodyache and no injury has been
found on the person of injured Laddu Khan.

Learned counsel for the petitioner has submitted that there
is land dispute between the parties which would be apparent from the
written report itself. It has further been submitted that counter case has



been filed vide Gwalpara P.S. Case No. 102 of 2017 between the parties for the same date of occurrence.

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 **Gwalpara P.S. Case No. 101 of 2017** 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 Judicial Magistrate, 1st Class, Udakishunganj, Madhepura**, 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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