

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28527 of 2018

Arising Out of PS.Case No. -65 Year- 2017 Thana -HATHAURI District- SAMASTIPUR

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1. Laxman Rajak @ Laxman Shafi Son of Chhotakeen Baitha Resident of Village- Dhoviyahee, Police Station- Hathauri, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-06-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Hathauri P.S. Case No. 65 of 2017 instituted for the offence under Sections-341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

It is alleged in the F.I.R. that petitioner has assaulted the informant and his father with Lathi on their head.

It is submitted by the learned counsel for the petitioner that petitioner and informant are cousin brother. The offence has taken place on account of family dispute. The injuries received by the informant and his father are found to be simple in nature. In paragraph-3 of the petition, it has been mentioned that the petitioner has no criminal antecedent.

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 Hathauri P.S. Case No. 65 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate 2nd, Rosera 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 automatically 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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