

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41601 of 2018

Arising Out of PS.Case No. -71 Year- 2017 Thana -NAWADA MUFFASIL District- NAWADA
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1. Abhimanyu Kumar, son of Rajendra Singh, resident of Village- Samay,
P.S. Muffasil, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 18-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Muffasil P.S.**

Case No.71 of 2017 instituted for the offence under Section(s)
147, 148, 149, 341, 323, 324, 307, 379, 504 Indian Penal Code.

It has been submitted that instant case has been filed
by the informant to save his skin from the case earlier instituted
by brother of petitioner, namely, Sunil Singh, vide Muffasil P.S.
Case No.67 of 2017 in which brother of petitioner was assaulted
by the prosecution party and co-accused Sunil Singh sustained
injuries.

In the instant case, there is allegation against the
petitioner of assaulting the informant with *Gandasa*. Injury report
of the Informant is annexed as Annexure-2 series, which shows
that he has sustained two injuries and the doctor has opined



injury no.1 to be simple in nature. Injury no.2 was caused by sharp cutting weapon on left fore-arm, which does not corroborate the allegation in the First Information Report.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Muffasil P.S. Case No.71 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 the **Chief Judicial Magistrate, Nawada**, 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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