

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50273 of 2018

Arising Out of PS. Case No.-217 Year-2018 Thana- SITAMARHI District- Sitamarhi

Mani Bhushan Kumar @ Mani Bhushan Sharma S/o Markande Sharma, R/o
Malipur Pakari, P.S.- District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Mr. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Sitamarhi P.S. case no.
217 of 2018 instituted for the offence under Section(s) 341,
323, 307/34 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner has submitted that there
is case and counter case between the parties. The counter case
has been filed by the father of the present petitioner vide
Sitamarhi P.S. case no. 223 of 2018 in which the father of the
petitioner has also sustained injury.

In the instant case, there is allegation that this petitioner
along with other accused persons, namely Shashi Bhushan
Sham and Mani Bhushan Sharma assaulted the father of the
informant. The injury report of the father of informant is



annexed as Annexure-3 to the bail petition wherein one lacerated wound is found on the person of the father of the informant.

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 Sitamarhi P.S. case no. 217 of 2018 , 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 CJM, Sitamarhi, 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 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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