

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34592 of 2018

Arising Out of PS. Case No.-514 Year-2017 Thana- SIKARPUR District- West Champaran

Birendra Yadav son of Sri Keshav Yadav, Resident of Village- Virti Tola,
Sonasati, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-08-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

Petitioner apprehends his arrest in Shikarpur P.S. case no.
514 of 2017 instituted for the offence under Section(s) 147,
149, 323, 324, 307 and 504 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
instant case has been filed in retaliation of the case lodged by
the father of this petitioner vide Shikarpur P.S. case no. 515 of
2017 against the family member of the informant and others.

In the instant case, it is alleged that this petitioner and
other accused persons assaulted the son of the informant causing
injury on his head.

Case diary has been received wherein the injury report is
available in para 33 of the case diary. The doctor has found only



one injury on the person of the injured.

From the written report itself it appears that no specific allegation has been attributed against the petitioner of committing assault on the son of the informant. It is mentioned in paragraph no.3 of the bail petition that petitioner has clean antecedents.

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 Shikarpur P.S. case no. 514 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 CJM, West Champaran at Bettiah, 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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