

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3702 of 2018

Arising Out of PS.Case No. -351 Year- 2017 Thana -KUDHNI District- MUZAFFARPUR

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Akshay Kumar @ Acchay Kumar son of Rambali Sahani, Resident of
Village Charkoria, P.S. Kudhani (Turki O.P.), District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-03-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Kudhani P.S.
Case No. 351 of 2017 instituted for the offence under Sections
341, 147, 307 of the Indian Penal Code and 27 of the Arms Act.

It is alleged by the informant that the petitioner
caused fire arm injury in the left arm of the informant.

The case diary has been received. Injury report is
available in paragraph 42 of the case diary, wherein, the doctor has
opined the injury on the person of the informant to be simple in
nature. X-ray suggestive- not showing any bullet in left upper arm.
There is land dispute between the parties.

From the written report, it appears that there was
altercation between both the parties due to land dispute.



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 Kudhani P.S. Case No. 351 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, Muzaffarpur, 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 their 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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