

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73108 of 2018

Arising Out of PS. Case No.-177 Year-2018 Thana- MANIHARI District- Katihar

Amarnath Yadav, S/o Late Ram Naresh Yadav, Resident of Mirzapur Kachhar,
P.S.- Manihari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Vikram Singh

For the Opposite Party/s : Mr.Smt. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-12-2018 Heard learned counsel for the parties.

The application for anticipatory bail arises out of Manihari P.S. Case No. 177 of 2018, disclosing offences under Sections 147, 148, 149, 341,323, 324 and 307 of the Indian Penal Code.

Learned counsel, appearing on behalf of the petitioner, has submitted that registration of the present FIR is nothing but a counterblast to an FIR lodged by the nephew of the petitioner registered as Manihari P. S. Case No. 176 of 2018 for an occurrence which had taken place at 6.00 P.M. The time of occurrence of the present case is said to be 11.00 P.M. It is also submitted that there is allegation against the petitioner of having assaulted the informant with a *Farsa* on his head,



whereas the injury report showed the injury caused by hard and blunt substance, which belies the prosecution case.

Considering the above submission, this application is allowed. Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Katihar, in Manihari P.S. Case No. 177 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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