

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45837 of 2018

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1. Bhasho Kewat S/o Ramji Kewat , R/o Vill.- Jakhor, P.S.- Bind, District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samir Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Shailendra Kumar -2, APP 61.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

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

The petitioner apprehends his arrest in Bind P.S. Case No. 55 of 2018, instituted for the offence under Section 302/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner is a villager. He has no concern with the dispute which took place between the informant and Shiv Kumar Kewat. In the written report, it is alleged that 10 year old daughter of Shiv Kumar Kewat was cutting grass. She also cut 2-4 plants of sugarcane from the field of co-accused on which Shiv Kumar Kewat abused the father of informant. The father of informant went to protest then son of Shiv Kumar Kewat, namely, Suraj Kumar, Yogendra Kewat along with villager Bhasho Kewat



assaulted his father with *lathi* and *danda*. They also assaulted the brother of informant Suraj Kumar. Father of informant subsequently died due to assault.

From the written report itself, it appears that altercation had taken place between Shiv Kumar Kewat and the informant. There is no any specific allegation against this petitioner in the written report.

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 Bind P.S. Case No. 55 of 2018, he shall be enlarged 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 Additional Chief Judicial Magistrate, Nalanda at Biharsharif, subject to the conditions as laid down under Section 438(2) of the 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 tamper 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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