

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8604 of 2018

Arising Out of PS.Case No. -63 Year- 2016 Thana -PHULPARAS District- MADHUBANI

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1. Naresh Yadav, son of late Ram Charan Yadav, resident of village-Bahu
Arwa, P.S.-Phulparas, District-Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.13, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 05-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Phulparas P.S.**

Case No.63 of 2016 instituted for the offence under Section(s)
147, 148, 149, 323, 324, 307, 379, 504 Indian Penal Code.

Counsel for the petitioner submits that there is
counter case also filed by the daughter of this petitioner vide
Phulparas P.S. Case No.70 of 2016.

In the instant case, there is allegation that petitioner
assaulted the informant with axe causing injury on the head when
the informant raised protest for carrying the wood of the
informant without his consent.

The Additional Sessions Judge has mentioned in the
impugned order that doctor has found injury to be simple in



nature.

Learned APP has submitted that Injury Report of Shatrughan Yadav is available in para 35 of the case diary, wherein, one stitched wound on right parietal region of size 3" x ½" was found and the opinion was kept reserved. There is no repetition of blow.

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 **Phulparas P.S. Case No.63 of 2016**, 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 **Additional Chief Judicial Magistrate, II, Jhanjharpur, Madhubani**, 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 his 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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