

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24032 of 2019

Arising Out of PS. Case No.-509 Year-2018 Thana- KESARIA District- East Champaran

SHAMIM MIAN Son of Shalil Miyan Resident of Village - Rampur, Bairiya,
Tola - Allehpur, P.S.- Kesariya, Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Md. Aatur Rahman

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kesariya P.S. Case No. 509 of 2018 for the offence punishable under Sections 341, 323, 324 and 307/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the informant and the accused persons are agnates. The occurrence, as is evident from the First Information Report, had taken place since, allegedly, the accused persons were using the informant's field for carriage of certain articles in a tractor.

Learned counsel appearing on behalf of the petitioner has submitted that though there is allegation of assault by iron rod, no injury on vital part of the body has been reported. For the same occurrence counter case has also been registered.



Considering the facts and circumstances, 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 bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champara at Motihari, in Kesariya P.S. Case No. 509 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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