

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50748 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- DESARI District- Vaishali

PRINCE KUMAR Son of Awadhesh Ram Resident of Village - Panapur
Raghukanth, P.S.- Desari, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-08-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Desari Police Station Case No. 80 of 2019, disclosing offences under Sections 147, 148, 307, 504 of the Indian Penal Code.

The allegation against the petitioner, as per the First Information Report, is that the petitioner, along with 14 named accused persons, were dancing on the road and a scuffle took place between the side of the petitioner and the informant, in which free fight took place.

Learned Counsel for the petitioner submits that as per the allegation, the petitioner had assaulted one Arun Kumar by lathi, but no injury has been found on the person of said Arun



Kumar. He further submits that there is case and counter case inasmuch as the petitioner has also lodged Dehri Police Station Case No. 81 of 2019 for the same incident.

After having heard learned Counsel for the parties and taking into consideration the fact that no injury report has been brought on record before the learned Sessions Judge for the injury alleged to have been sustained by Arun Kumar on his head and further there is case and counter case, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Prince Kumar, in the event of his arrest or surrender before the Court below within four weeks, 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 learned 4th Additional Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Desari Police Station Case No. 80 of 2019, subject to the condition 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



bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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