

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7683 of 2020

Arising Out of PS. Case No.-237 Year-2019 Thana- SONO District- Jamui

MUKESH TURI S/o Late Jhari Turi R/o village- Belatanr, P.S.- Sono,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan with Mr. Santosh Kumar
and Akash Raj Advocates
For the Opposite Party/s : Ms.Pushpa Sinha APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-07-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through the video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner as well as, learned APP for the State.

Petitioner apprehends his arrest in connection with Sono P.S. Case no. 237 of 2019 instituted for the offence under Section(s) 147,148,149, 341,323,324,325,307,504 and 506 of the Indian Penal Code.



It is alleged that 13 named accused persons entered into the house of the informant and have assaulted the informant. The occurrence is alleged on account of land dispute. The petitioner has assaulted the informant on head by sword.

It is submitted that on account of land dispute between the parties the petitioner has falsely been implicated. It is further submitted that there is a considerable delay of three days in lodging the FIR. In fact, the prosecution party had entered into the house of accused persons on 20.08.2019, for which, a complaint was filed on behalf of the accused party on 23.08.2019. The injury report also does not sustain the allegation. The Injury report is Annexure-3 to the anticipatory bail petition.

The learned APP for the State opposed the prayer for anticipatory bail by submitting that allegation of assault by sword is against the petitioner.

Considering the rival submissions, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner before the court below, named above, within four (04) weeks from today, 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 J.M. Ist Class, **Jamui** in connection with Sono P.S. Case No. 237 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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