

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 60984 of 2019

Arising Out of PS. Case No.-305 Year-2018 Thana- DUMRAO District- Buxar

Santosh Chand, aged about 30 years, Gender-Male, Son of Hare Ram Chand
Resident of Village - Akauni, P.S.- Dumraon, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagdish Prasad

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 05-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Dumraon P.S.
Case No. 305 of 2018 registered for the offence under Sections
341/323/324/307/504/506/379/34 of the Indian Penal Code.

In the F.I.R., the informant has alleged that on
15-07-2018 at 8:00 AM, when he was washing his face near the
well in front of his house, the accused persons came and started
assaulting him, as a result of which, he sustained injury in his
index finger and allegation against the petitioner is that he gave
farsa blow on the head of informant and caused him cut injury.

It is submitted on behalf of petitioner that there is case
and counter case from both the sides and the dispute arose on
account of possession of land. It is further submitted that
petitioner as well as informant are agnates and due to dispute
over the family property, there was a free-fight between both the
parties. It is also submitted that petitioner's side has also got



injury. The alleged occurrence had taken place on 15-07-2018, but the F.I.R. was registered on 22-07-2018 without any explanation for such delay. It is further submitted that co-accused have already been granted anticipatory bail by this Court, vide order dated 16-04-2019 passed in Cr.Misc. No. 23886 of 2019 (Annexure 4).

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No. 305 of 2018 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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