

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19752 of 2015**

Arising Out of PS.Case No. -23 Year- 2014 Thana -JURAWNPUR District- VAISHALI(HAJIPUR)

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Pappu Rai son of Ramji Rai resident of village- Barka Tola Birpur, Police Station - Jurawanpur, District- Vaishali.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Rajpati, Advocate.

For the Opposite Party/s : Mr. P.N.Pandit (App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

4 18-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 307 and other allied offences of the Indian Penal Code, this Court, on finding that whatever injuries were alleged to have been inflicted by the informant in her fardbeyan at 7:30 P.M. on 31.10.2014 at Raghopur Primary Health Centre, does not get support from the injury report of the doctor prepared at 4:25 P.M. on 30.10.2014 and that there was a plausible defence for the petitioner on account of earlier incidence reported by Ramji Rai to the police wherein an allegation was made on the prosecution party of this case of mercilessly and brutally assaulting the co-accused Ramjee Rai, this Court keeping in view that the petitioner has also got no criminal antecedent, would be inclined to grant privilege of anticipatory bail to him.

That being so, if the petitioner, namely, Pappu Rai, surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs.

10,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Vaishali in connection with Jurawanpur P.S. Case No. 23 of 2014; subject to the following conditions:

- (i) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of his bail on the ground of misuse.
- (iv) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

Sujit/-

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**(Mihir Kumar Jha, J)**