

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7735 of 2016

Arising Out of PS.Case No. -286 Year- 2015 Thana -ARA NAWADA District- BHOJPUR

Mantu Rai @ Sandeep Kumar Rai son of Devendra Rai @ Devendra Kumar Rai, resident of Mohalla- Rajendra Nagar, Ara, P.S.- Ara Nawada, District- Bhojpur at Ara

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Smt. Anuradha Singh (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 31-03-2016 Heard learned counsel, appearing on behalf of the petitioner, and the learned Addl. Public Prosecutor, appearing on behalf of the State as also learned counsel, appearing on behalf of the informant.

This application for grant of anticipatory bail arises out of Ara Nawada P.S.Case No. 286/2015, disclosing offences under sections 341, 323, 379, 307, 384 and 506 of the Indian Penal Code.

It is alleged against the petitioner that he was demanding ransom from the informant and on the alleged date of occurrence i.e. 10.8.2015 the petitioner had gone to the informant's shop with an intention to kill him. Allegedly, the petitioner assaulted him with a rod, which was lying in the shop.



Learned counsel, appearing on behalf of the petitioner, has submitted that it is evident from the First Information Report that the petitioner was not armed, when he had gone to the shop of the informant. He, accordingly, submits that in any event it cannot be said that he had any intention to kill the informant. He further submits that the petitioner has no criminal antecedent.

Learned counsel, appearing on behalf of the informant, has vehemently opposed the prayer for anticipatory bail and has produced before me a copy of the injury report in support of the contention that the case of the prosecution finds support from the injury report. He submits that the injury has been found to be grievous in nature and fracture of head of first metacarpal.

Considering the fact that the petitioner has no criminal antecedent, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 Chief Judicial Magistrate, Bhojpur at Ara in Ara Nawada P.S.Case No. 286/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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)

Surendra/-

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