

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12999 of 2016

Arising Out of PS.Case No. -257 Year- 2015 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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1. Sanikant Kumar, S/o Sri Devendra Prasad, aged about 29 years, resident of Village- Anantpur Via Rahui, P.S.- Rahui, P.O- Peshour, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Sinha

For the Opposite Party/s : Mr. Arun Kr.Singh 5(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 13-04-2016

Heard both sides.

The petitioner apprehends his arrest in connection with Rahui P.S. case no. 257 of 2015, registered under Sections 147,149,341,323,307, 504 and 506 of the IPC.

On going through the First Information Report, it is found that accused persons reached the 'Darwaja' of the informant and assaulted the informant and his wife. Specific allegation of assault to the informant and his wife is attributed to co-accuseds Chandan Kumar and Shashikant Kumar. This is also apparent from the impugned order.

Counsel for the petitioner submitted that both sides are agnates. Petitioner is a young person who does not reside in the village. In respect of the occurrence committed on the date in question, there is another version in the shape of First Information

Report lodged by co accused Chandan Kumar (Annexure-4).

In the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Nalanda at Biharsharif, in connection with Rahui P.S. case no. 257 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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