

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14621 of 2016

Arising Out of PS.Case No. -507 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Pramod Rai Son of Birendra Rai Resident of Village- Karhmhari, PS Mohania, District Kaimur Bhabhua Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Kumar

For the Opposite Party/s : Mr. Anish Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 22-04-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mohania Police Station Case No. 507 of 2015, disclosing offences under Sections 147, 148, 149, 341, 323, 379 of the Indian Penal Code and Section 27 of the Arms Act.

Briefly stated, the case of the prosecution is that the informant was moving in his tractor and when he reached in front of the rice mill of the accused persons, a harvester was found parked on the road. The informant is said to have requested the accused persons to remove the harvester, whereupon the accused persons reacted and assaulted him with lathi, danda. It is also alleged that one of the accused persons opened fire and assaulted him with the butt of a country made pistol.

Learned Counsel for the petitioner has submitted that the nature of the injuries have been found to be simple. It has further been submitted that the petitioner has no criminal antecedent.

Considering the facts and circumstances and the genesis of occurrence, this application is allowed.

Let the petitioner, Pramod Rai, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Bhabhua (Kaimur), in connection with Mohania Police Station Case No. 507 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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