

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19102 of 2016

Arising Out of PS.Case No. -131 Year- 2015 Thana -SONBARSA District- SAHARSA

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Mansur Nadaf Son of Samad Nadaf Resident of Village - Haripur toal
Ladari, P.S. - Sonbarsa Raj, District Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Satyendra Narayan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 12-05-2016 Heard learned counsel for the petitioner and the learned
Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Sonbarsa Raj P.S.Case No. 131/2015, disclosing offences under sections 147, 148, 149, 323, 308, 379, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that all the accused persons except the present petitioner have been granted anticipatory bail by the learned Sessions Judge, Saharsa vide order dated 3.3.2016 passed in A.B.A.No. 174/2016. The case of the petitioner has been rejected on the ground that he had actively participated in the commission of offence. It has been stated in paragraph 3 of the application that the petitioner has no criminal antecedent. It has been submitted on behalf of the

petitioner that there is no such distinguishable feature as regards allegation against the petitioner, which can distinguish his case from others, who have been granted anticipatory bail. He has also submitted that since the petitioner has no criminal antecedent, there is no likelihood that he will be fleeing from the course of justice or tampering with the evidence, if he is given privilege of anticipatory bail.

Considering the above, 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, Saharsa in Sonbarsa Raj P.S.Case No. 131/2015, 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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