

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53562 of 2015

Arising Out of PS.Case No. -195 Year- 2015 Thana -BUXAR INDUSTRIAL District- BUXAR

1. Anil Rai @ Anil Kumar Rai
2. Kamlesh Rai, Both Sons of Ramashray Rai, Resident of Village - Darahpur, P.S. - Buxar (Ind.), District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. M. Dayal (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 01-02-2016 As prayed, the application on behalf of petitioner no. 2 is dismissed as withdrawn.

Heard the Counsel for the petitioner and Mr. Dayal, APP for the State.

The sole petitioner apprehends his arrest in connection with Buxar (Ind.) P.S. Case No. 195 of 2015 registered under Sections 341, 504,353 and 389 of the Indian Penal Code.

Precisely, the allegation is that when the Police personnel went to the house of the petitioner on the dead of night to effect raid in the house, obstruction was offered by the petitioner and some stones were pelted. It has been stated that until filing of the case, there was no criminal antecedent of the petitioner. Police, however, got his name subsequently impleaded in Buxar (Town) P.S. Case No 129 of 2015 which was registered

against unknown.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner no. 1 namely Anil Rai @ Anil Kumar Rai is directed to be released on anticipatory 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, Buxar in Buxar (Ind.) P.S. Case No. 195 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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