

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24165 of 2016

Arising Out of PS.Case No. -119 Year- 2016 Thana -NAWADA District- NAWADA

1. Om Shankar Prasad S/o Late Gauri Shankar Prasad, Resident of village/Mohalla- Station Road, Nawada Devi Mandir, P.S.+ District- Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Sanjay Kumar Pandey (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 15-07-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Nawada Town P.S. Case No. 119 of 2016, disclosing offences under Sections 427 and 436 of the Indian Penal Code.

It is alleged that there were some dispute over passage between the petitioner and the informant. In order to take revenge, the petitioner set on fire the kiosk and motorcycle. It is submitted on behalf of the petitioner that there is nothing specific that the petitioner was instrumental in commission of the offence. He has submitted that the petitioner's implication is merely on the basis of hearsay.

Learned counsel for the Informant has vehemently opposed the prayer for bail and has submitted that the

petitioner and other persons were fleeing away from the place of occurrence.

However, considering the facts and circumstances and particularly the submission that there is no specific evidence that the petitioner was involved in commission of the offence, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the court below 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 learned Chief Judicial Magistrate, Nawada in Nawada Town P. S. case No. 119 of 2016, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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