

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50918 of 2015

Arising Out of PS.Case No. -94 Year- 2015 Thana -GOPALPUR District- PATNA

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Arvind Kumar @ Arvind Kumar Yadav Son of Late Radheshyam Singh,
Resident of village - Udeni, Police Station - Gopalpur, District - Patna
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Dilip Kumar Sinha
For the Opposite Party	:	Mr. Bhanu Pratap Singh, APP
For the Informant	:	Mr. Rama Kant Sharma, Sr. Adv. Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 12-02-2016 Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution registered under Section 307/34 and some other allied offences under the Indian Penal Code.

Taking into consideration the fact that there appears to be case and counter-case from both sides, vide Annexure-1 and 3 respectively, and further taking into consideration the fact that the petitioner himself has sustained injury on his person on account of assault made by the prosecution party, for which an F.I.R. vide Annexure-3 was lodged by the petitioner himself, as also taking into consideration the fact that there appears to be business rivalry between the two sides, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail.

In the event of his arrest or surrender in the Court below within a period of four weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bonds of Rs. 25,000/- with two sureties of the like amount each to the

satisfaction of the learned Chief Judicial Magistrate, Patna, in connection with Gopalpur P.S.Case No. 94 of 2015, subject to the conditions laid down under Section 438(2) Cr. P.C and subject to the further conditions that:

- (A) One of the bailors shall be a government servant,
- (B). Other bailor shall be either the family member or close relation of the petitioner, who will file an affidavit in the Court below showing his/her relationship with the petitioner,
- (C). if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving an opportunity of hearing to all concerned and
- (D). the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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