

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48155 of 2016

Arising Out of PS.Case No. -149 Year- 2016 Thana -BRAHMPUR District- BUXAR

=====

Sonu Rai @ Chandramani Pandey son of Chandrahas Rai @ Chandrahas
Pandey Resident of village Simari (Dudhipatti P.S. Simari, Dist. Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Arun Kumar

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 16-12-2016

Heard both sides.

Apprehending his arrest in connection with
Brahmpur (K.B.) P.S. Case no. 149 of 2016, registered under
Sections 147, 148, 149, 341, 323, 379, 427, 386 and 307 of the
IPC the petitioner has prayed for grant of anticipatory bail.

On the date of occurrence some persons riding on the
motorcycle had arrived and created a scene wherein there was
huge hue and cry at the spot and some thrashing was also made.
Two of them were arrested. One of them is said to have named the
petitioner as the one who was with them.

Contention of the petitioner is that although the
motorcycle belonged to him but he was not actually there and even
not arrested from the place of occurrence. The two other accuseds
who have criminal antecedents were arrested from the place of



occurrence. So far as the petitioner is concerned, he has no criminal antecedents. Merely on the basis of confessional statement of one of the co-accuseds, he has been falsely implicated in this case.

In the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Buxar, in connection with Brahmpur (K.B.) P.S. Case No. 149 of 2016, 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 bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive



dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--

