

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16721 of 2016

Arising Out of PS.Case No. -238 Year- 2015 Thana -MANSI District- KHAGARIA

1. Pandav Ray S/o Nandan Ray, resident of Village- Tikarampur, P.S.- Muffasil, District- Munger at present residing at Village Khutia, P.S.- Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. B.M.P.Sinha(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 29-06-2016 The certified copy of the First Information Report of Mansi Police Station Case No. 238 of 2015 has been filed on behalf of the petitioner, let the same be kept on record.

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mansi Police Station Case No. 238 of 2015, disclosing offences under Sections 399, 402, 353, 307 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

The petitioner has no criminal antecedent, as stated in paragraph 3 of the application.



Allegedly, Police, upon receiving an information that some persons were trying to commit dacoity, had raided the place of occurrence, whereafter some of them opened fire on the Police. Some of the accused persons were apprehended by the Police; whereas, some accused escaped on seeing the Police party. Allegedly, the petitioner is one who escaped on seeing the police party.

Learned Counsel appearing on behalf of the petitioner has submitted that over and above the allegation that he escaped from the place of occurrence, there is no allegation against him. It is submitted that the petitioner will neither evade any interrogation by the Police nor absent himself from the Court as and when required, if he is granted the privilege of anticipatory bail.

Learned Additional Public Prosecutor appearing on behalf of the State has submitted that investigation is still underway. He has, however, not been able to point out from the case diary that any incriminating materials have been collected against the petitioner so far.

Considering the above, this application is allowed.

Let the petitioner, Pandav Ray, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Khagaria, in connection with Mansi Police Station Case No. 238 of 2015, subject to the condition 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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