

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44779 of 2015

Arising Out of PS.Case No. -192 Year- 2015 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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Mahendra Bhagat Son of Sukhari Bhagat, Resident of Village - Bairiya
Tola Banjariya, P.S. - Pipra Kothi, District - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Adv.

For the State : Mr. Kumar Ranjit Ranjan, A.P.P.

For the informant : Mr. Umesh Chandra Verma, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 09-03-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises out of
Pipra P.S. Case No. 192/2015, disclosing offences under sections
341, 323, 324, 307, 448, 504, 506 of the Indian penal Code.

Learned counsel for the petitioner submits that no
offence under section 307 of the Indian Penal Code is made out,
inasmuch as it cannot be said that the petitioner had any intention
to kill the informant, even if the allegation, as contained in the
First Information Report, is treated to be correct for the sake of
argument. He further submits, while denying the allegation, as
contained in the First Information Report, that previous animosity

is the reason behind institution of the First Information Report.

Considering the facts and circumstances and genesis of the occurrence, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 Chief Judicial Magistrate, East Champaran, at Motihari in Pipra P.S.Case No. 192/2015, corresponding to G.R.Case No. 3748/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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)

Surendra/-

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