

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7648 of 2016

Arising Out of PS.Case No. -162 Year- 2015 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

1. Sanjiv Kumar @ Saina Singh, son of Bholi Singh Resident of Village-
Katardih, P.S.- Katarisarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Nath Tiwary

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 28-03-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Giriyak (Katarisarai) Police Station Case No.
162 of 2015, disclosing offences under Sections 341, 323,
307, 379, 504/34 of the Indian Penal Code and Section 27
of the Arms Act.

From the First Information Report, it transpires
that the occurrence allegedly took place over a land dispute
between the parties. Allegedly, father of the petitioner,
Bholi Singh, a co-accused, had opened fire, causing injuries
on the person of the informant. The allegation against the
petitioner is that he snatched a golden chain from the
informant, thereafter.

Learned Counsel for the petitioner submits that accusation against him is absurd on the face of the allegation as contained in the First Information Report.

Considering the nature of accusation against the petitioner, this application is allowed.

Let the petitioner, Sanjiv Kumar @ Saina Singh, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Giriyak (Katarisarai) Police Station Case No. 162 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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