

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35471 of 2016

Arising Out of PS.Case No. -145 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

1. Kaleshwar Yadav @ Kale Yadav S/o Lakhan Yadav R/o Village-
Budhauli, P.S. Sheikhpura, District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

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

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 20-09-2016

Heard the learned counsel for the petitioner and the
State.

Amongst 27 named in the First Information Report
vide Sheikhpura P.S. case no. 145 of 2016, petitioner is one of
them and is facing criminal charge punishable under Sections
325 and 379 IPC read with Section 27 of the Arms Act.

Learned counsel for the petitioner placed the entire
First Information Report and submits that specific allegations of
assault have been attributed to several accuseds. There is no
allegation against the petitioner of causing injury to any of the
injured(s). The petitioner had earlier filed few criminal cases
against the present prosecution side. Out of animosity, he has
been named in the FIR, but, without any specific allegation. The
petitioner has not criminal antecedents.

Considering the above, I am 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 Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpura P.S. case no. 145 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with 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)

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