

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16115 of 2017

Arising Out of PS.Case No. -480 Year- 2013 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Pintu Patel, son of Chinni Patel, Resident of Village - Gawai Mohalla, P.S.
Bhabua, District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate.
For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-06-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bhabua P.S. Case No.480 of 2013 instituted for the offence under Sections 341, 307 of the Indian Penal Code and Section 27 of the Arms Act.

As per *Fardbeyan*, on the date of occurrence i.e. 30.9.2013, two persons sitting on the motorcycle, came near the informant and one of the persons fired causing injury on the right *Pakhura* of the informant.

The name of this petitioner has figured in paragraph-45 the case diary during investigation, after one year of the occurrence i.e. 28.10.2014, merely on suspicion.

The learned A.P.P. has after looking into the case diary stated that except raising suspicion in paragraph-45 of the case diary, there is no any other allegation of specific overt act against the



petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bhabua P.S. Case No. 480 of 2013, he shall be released on anticipatory 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, Kaimur at Bhabua, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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