

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36953 of 2017

Arising Out of PS.Case No. -181 Year- 2017 Thana -UDWANTNAGAR District- BHOJPUR

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Rambabu Chaudhary, Son of Sri Patiram Chaudhary @ Shivparsan Choudhary, Resident of Village -Keshopur Pakari, Police Station-Udwanthnagar, in the District of Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Sr. Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Udwanthnagar P.S. Case No. 181 of 2017 instituted for the offence under Sections 341, 323, 307, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

It has been submitted that there is specific allegation in the written report of causing firearm injury to the informant by Patiram Choudhary @ Shiv Parsan Choudhary and against co-accused Kamleshwar Choudhary @ Munna Choudhary of causing firearm injury to the son of the informant Raj Kumar Choudhary. There is allegation against this petitioner that he fired from his pistol on the informant but it passed from the side of the informant.

From the *Fardbeyan*, it appears that no firearm injury has



been caused by 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 Udwantnagar P.S. Case No. 181 of 2017, 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, Bhjojpur, Ara, 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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