

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42966 of 2017

Arising Out of PS.Case No. -111 Year- 2017 Thana -SARAI District- VAISHALI(HAJIPUR)

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Jitendra Rai, Son of Late Upendra Rai, Resident of Village-Rasulpur Osti,
P.S.-Mahua, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 19-09-2017

Heard the parties.

This application, for grant of anticipatory bail,
arises out of Sarai P.S. Case No. 111 of 2017, disclosing
offences under Sections 341, 323, 325, 307 and 504 of
the Indian Penal Code.

Learned counsel for the petitioner has
submitted that no offence, under Section 307 of the
Indian Penal Code, is made out, there being allegation of
assault by throwing brick on the informant. He has
submitted that apparently the dispute is because of non-
payment of salary to the informant, who is driver of the



petitioner's tractor.

In the First Information Report, it has been alleged that the informant was demanding his salary, whereafter, the occurrence had taken place.

Learned counsel for the petitioner states that the petitioner shall deposit the said amount of Rs. 5,000/, in Court, to be released in favour of the informant against payment of his salary.

The said amount of Rs. 5,000/- must be deposited by the petitioner within a period of six (6) weeks from today.

Considering the submission, as above, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-XIII-Cum-Sub Judge-XIV, Hajipur, Vaishali**, in connection with **Sarai P.S. Case No. 111 of 2017**, 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/herself before the



police/Court, as the case may be, as and when required and in the event of failure on his/her part to appear before the Court on two consecutive occasions, his/her bail bond shall be liable to be cancelled.

It is indicated that the amount, which has been agreed to be paid by the petitioner, does not determine and will not be amounting to determining the quantum of salary, which the informant is entitled to receive or which the petitioner is obliged to pay.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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