

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16404 of 2017

Arising Out of PS.Case No. -51 Year- 2016 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Vivek Rao @ Vivek Kumar, Son of Sri Birendra Rao, Resident of
Village- Bijabaniya, Police Station Sirisiya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-04-2017 Heard learned counsel for the petitioner as well as

learned Addl. Public Prosecutor.

The petitioners pray for anticipatory bail in
connection with Lauriya P.S. case no. 51 of 2016 registered for the
offence punishable under Sections 307 and other sections of the
Indian Penal Code and various sections of Arms Act.

It is submitted on behalf of petitioner that there is
allegation of firing against this petitioner. It is further submitted
that father of the petitioner is the President of Nandgarh college
and mother of the petitioner is the Principal of the said college. It
is further submitted that as a matter of fact, the informant was
removed from the service, for which, Annexure-3 is filed, in
connection with defalcation of money. It is next submitted that the



allegation leveled against the petitioner is false and concocted and though, he has fired but it did not hit anybody.

Heard learned A.P.P. also.

Having heard both sides. In view of the above facts and circumstances of the case, the anticipatory bail application of petitioner is allowed and he, in the event of arrest/ surrender before the court below within four weeks, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate-1st, Bettiah in connection with Lauriya P.S. case no. 51 of 2016 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a condition that bailors should be the local one having sufficient property within the jurisdiction of learned court below and with further condition that petitioner shall cooperate and assist in the investigation of the case and if he fails to assist the investigating officer, the prosecution shall be at liberty to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J.)

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