

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35949 of 2017

Arising Out of PS.Case No. -274 Year- 2016 Thana -JOKIHAT District- ARRARIA

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1. Mahesh Bishwas @ Mahesh Prasad Bishwas Son of Bhuwneshwar Prasad Bishwas Resident of Village- Chakai, P.S. Jokihat, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 12-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Jokihat P.S. Case No. 274 of 2016 instituted for the offence under Sections-452, 307, 354(B), 380, 427, 436 & other minor Sections of the Indian Penal Code.

There is allegation against the petitioner that he attempted to outrage the modesty of aunt of the informant and also made firing, which hit below the knee of leg of the informant.

The injury report of the injured is mentioned at paragraph- 28 of the case diary wherein the doctor, advised the injured for X-ray of left leg A.P. Plaster and USG whole abdomen and in X-ray of leg, no foreign body was in spleen, USG WA referred (CR) renal calculi 1.5 cm. , has found complain of fire-arm injury assumed lateral view which shows no visible foreign body.

Learned counsel, appearing for the informant opposed the



prayer for anticipatory bail.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Jokihat P.S. Case No. 274 of 2016 to the satisfaction of Sri Amit Mannu, learned Additional Chief Judicial Magistrate, Araria subject to condition as laid down u/S 438(2) of the 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.

(Sanjay Priya, J)

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