

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38248 of 2017

Arising Out of PS.Case No. -139 Year- 2017 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Anil Rai, son of Chanarik @ Chandrika Rai, R/o Village- Khapura,
P.S.- Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 18-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Bidupur P.S.**

Case No.139 of 2017 instituted for the offence under Section(s)
307, 120-B/34 Indian Penal Code and Section 27 of the Arms
Act.

It has been submitted that in the written report it is
alleged that five persons shot fire from fire arms, but there is no
specific allegation that whose shot hit the Informant. It has
further been submitted that there is dispute with regard to
Panchayat Election. Petitioner has clean antecedents.

Informant has alleged that he sustained two gun shot
injuries; one on the waist and another on the leg. In the case
diary, there is mention of two gun shot injuries, but opinion was



kept reserved as patient was referred to Sadar Hospital.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Bidupur P.S. Case No.139 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, XIV, Vaishali at Hajipur**, 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.

(Sanjay Priya, J)

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