

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47225 of 2017

Arising Out of PS.Case No. -639 Year- 2017 Thana -SAHARSA District- SAHARSA

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Hero Rajak, Son of Late Bhumi Rajak, R/o Mohalla- New Colony, Ward
No.8, Behind Water Tanki, P.S.+ District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate.

For the informant : Mr. Rajesh Ranjan, Advocate.

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 12-10-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Saharsa P.S.
- Case No. 639 of 2017 instituted for the offence under Sections
302, 120(B) and 34 of the Indian Penal Code.
- It has been submitted that petitioner is retired
government employee. As per written report, there is allegation
that Gaurav Kumar and Pawan Rajak fired shot on the father of
the informant. The petitioner is father of Pawan Rajak.
- In the written report there is no specific allegation of
overt act against the petitioner.
- Learned counsel for the informant has appeared and
opposed the prayer for anticipatory bail
- 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 Saharsa P.S. Case No. 639 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, Saharsa, 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.

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(Sanjay Priya, J)

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