

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39372 of 2017

Arising Out of PS.Case No. -80 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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Lakhan Mandal @ Jitendra Kumar Jitu, Son of Shanti Sharan Pd. Singh @
Shanti Bhushan Singh, Resident of Village- Karnpura, Police Station-
Shambhuganj, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Shambhuganj P.S.

Case No. 80 of 2016 instituted for the offence under Sections 147, 148,
149, 341, 323, 307, 353, 380, 427, 435, 504, 506, 120(B) of the Indian
Penal Code and Sections 3/4 of Damage to Public Property Act.

It has been submitted that petitioner is not named in the
First Information report. During investigation, the name of the
petitioner has come as a member of Mob.

From the written report itself it appears that on the date of
occurrence on account of death of one of the injured, Shambhuganj P.S.
Case No. 78 of 2016 was registered in which several persons assembled
and caused obstruction in the road traffic and also misbehaved with the
police party. Total 56 persons have been named in the written report.
The petitioner's name is not mentioned in the written report. His name



has come during investigation.

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 Shambhuganj P.S. Case No. 80 of 2016, 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 Sub Divisional Judicial Magistrate, Banka, 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.

S.Ali/-

(Sanjay Priya, J)

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