

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42823 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -MAHARAJGANJ District- SIWAN

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1. Vikash Ray Son of Ramji Ray resident of village - Takipur, P.S. -
Maharajpur, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Maharajganj P.S. Case
No. 53 of 2016 instituted for the offence under Sections-306, 379 &
other minor Sections of the Indian Penal Code.

It has been submitted that in the instant case, police filed
final form but the court below has taken cognizance against the
petitioner differing with the final form. It has further been submitted
that witnesses in paragraphs-6 & 7 of the case diary have stated that one
Mahamaya Rai has assaulted the son of informant whereas the
informant has alleged that this petitioner has assaulted the son of the
informant.

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 in Maharajganj P.S. Case No. 53 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-V, Siwan 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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