

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58339 of 2017

Arising Out of PS.Case No. -97 Year- 2017 Thana -MARAUANA District- SUPAUL

=====

Prakash Kumar Yadav @ Prakash Yadav, son of late Bashudev Prasad
Yadav, resident of village - Saroja Bela, Nirmali, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Aditya Prakash Sahay, Advocate.

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Marauna P.S.**

Case No. 97 of 2017 instituted for the offence under Sections 147, 148, 149, 341, 323, 307, 353, 379, 427, 504, 506, 120(B) and 333 of the Indian Penal Code, Section 3 of the Prevention of Damage to Public Property Act, 1984 and Section 51(A) of the Disaster Management Act, 2005.

In the written report it is alleged that the informant who is Block Development Officer arrived in his office, then the petitioner along with other persons came in his Chamber and warned the informant. It is further alleged that petitioner allegedly provoked the mob who broke open the Chamber gate and attacked on the informant. The informant anyhow managed to save his life.

Learned counsel for the petitioner has submitted that



petitioner has clean antecedent. There is general and omnibus allegation against him. It has further been submitted that the instant case is politically motivated. There was agitation for flood relief.

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 **Marauna P.S. Case No. 97 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 **Sri Kumar Krishnadev, learned Judicial Magistrate, Supaul**, 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)

S.Ali/-

U		T	
---	--	---	--

