

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58434 of 2017

Arising Out of PS.Case No. -282 Year- 2017 Thana -DIGHA District- PATNA

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1. Jitendra Kumar @ Jitu Rai, son of late Mozi Lal, resident of Village/
Mohallah- Kutti Machine Gali, Gosai Tola, P.S.- Patliputra, District-
Patna (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 22-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Digha P.S. Case No.282 of 2017** instituted for the offence under Section(s) 307 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

It has been submitted that there is general and omnibus allegation against the petitioner.

In the written report, it is alleged that on the order of District Magistrate, informant had gone to remove illegal encroachment where one thousand persons assembled at the place of occurrence and caused obstruction in discharge of official work and started throwing stones etc. on the police party.

Petitioner is named as one of the person present in



the mob.

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 **Digha P.S. Case No.282 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 **Sub-Divisional Judicial Magistrate, Patna**, 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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