

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57955 of 2017

Arising Out of PS.Case No. -297 Year- 2017 Thana -KOTWALI District- MUNGER

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1. Banti Singh Son of Sri Awadhesh Singh Resident of Mohalla- Bindwara,
P.S.- Kasim Bazar, District- Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 11-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kotwali P.S. Case
No. 297 of 2017 instituted for the offence under Sections
302,120(B),34 of the IPC and Section 27 of the Arms Act.

In the written report, there is allegation against two
persons who came on motorcycle and fired at the brother of the
informant, who was brought to the hospital and declared dead.

Learned counsel for the petitioners has submitted that
the petitioner has clean antecedent and he is not named in the
written report. The name of petitioner has come during
investigation in the confessional statement of co-accused Gautam
Singh who has been arrested by the police. He has disclosed the
name of the petitioner due to political rivalry. The mother of the
petitioner is a good social worker.

Counsel for the petitioner has further submitted that no



specific material has come against this petitioner about his complicity in the occurrence.

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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case No. 297 of 2017 to the satisfaction of learned C.J.M., Munger 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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