

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38871 of 2017

Arising Out of PS.Case No. -108 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

1. Dinu Kumar, son of Naresh Rai, resident of village- Lakhanpur, Tal,
P.S.- Desari, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Thakur, Advocate

For the Opposite Party/s : Smt. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 07-09-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in Desari P.S. Case No.108 of 2017 instituted for the offence under Section(s) 147, 148, 149, 341, 323, 324, 326, 307, 504, 506 Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that this petitioner assaulted the informant with butt of the pistol on the head of the informant.

Case diary has been received. Injury report is available in the case diary, wherein, the doctor has found the injury to be simple in nature.

Counsel for the petitioner has submitted that another co-accused, Raja Kumar, has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 10.08.2017 passed



in Cr. Misc. No.36393 of 2017.

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 Desari P.S. Case No.108 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 Additional Chief Judicial Magistrate, III, Vaishali at Hajipur, 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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