

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54461 of 2017

Arising Out of PS.Case No. -186 Year- 2017 Thana -PATORI District- SAMASTIPUR

- =====
1. Awadhesh Rai @ Avdesh Roy, son of Jhami Rai, resident of village -
Uttari Dhamaun, P.S. - Patory, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 11-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Patory P.S. Case No.186 of 2017** instituted for the offence under Section(s) 307 and other allied Sections of the Indian Penal Code.

Counsel for the petitioner has submitted that even if allegation is taken to be true then also no offence under Section(s) 307 Indian Penal Code would be made out. Counsel for the petitioner has further submitted that occurrence is said to have taken place on 12.05.2017, whereas, First Information Report has been lodged on 21.05.2017. Petitioner has clean antecedents.

In the written report, there is allegation that this petitioner assaulted the Informant with butt of the revolver on the



head of the informant.

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 **Patory P.S. Case No.186 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, Samastipur**, 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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