

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33267 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -GARAUL District- VAISHALI(HAJIPUR)

1. Bhushan Rai @ Bhushan Kumar, Son of Late Panchi Lal Rai, Resident of Village- Pojha, P.S.- Goraul, District- Vaishali at Hajipur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 06-09-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Goraul Police Station Case No. 121 of 2016, disclosing offences under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner has been made accused in this case merely on the basis of suspicion, which is evident from the F.I.R. itself. As a matter of fact, on the intervening night of alleged date of occurrence, one thief happens to be husband of the informant, who is alleged to have been taking away the cattle of petitioner, was mercilessly



assaulted by the villagers of Ismailpur and Pojha and in this regard, the petitioner has also lodge a case bearing Goroul P.S. Case No. 120 of 2016, which is evident from annexure-2. No any cogent material has come against the petitioner during course of investigation Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Vaishali at Hajipur, in connection with Goroul Police Station Case No. 121 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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