

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50418 of 2017

Arising Out of PS.Case No. -142 Year- 2017 Thana -RAMKRISHNANAGAR District- PATNA

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1. Bijendra Rai @ Bijendra Yadav aged about 55 Years, Son of Late Shivnath Rai, R/o Village- Bari Pahari, P.S.- Agam Kuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 14-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Ramkrishna Nagar P.S. Case No. 142 of 2017 instituted for the offence under Sections-302/34 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted that there is specific allegation against co-accused Mithilesh Yadav of causing fire-arm injury to the brother of the informant on account of which, he fell down on the ground.

The allegation against this petitioner is that he also fired on the informant but the informant saved himself. As such, from the written report itself, it is apparent that no injury has been caused to the informant. In paragraph-3 of the petition, it has been mentioned that the petitioner has no criminal antecedent.

Counsel for the informant has appeared and opposed the prayer.



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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Ramkrishna Nagar P.S. Case No. 142 of 2017 to the satisfaction of Sri Sukul Ram, learned Additional Chief Judicial Magistrate-cum-Sub Judge, XIII, Patna 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 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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