

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60284 of 2017

Arising Out of PS.Case No. -462 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Ajay Rai, S/o Ramanand Rai, R/o Chandralay, P.S.- Hajipur Sadar,
District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sadar (Hajipur) P.S.

Case No. 462 of 2017 instituted for the offence under Sections
147,148,149,341,342,323,504,506,324,307,353,188,333,420,379,1
20B of the IPC and Section 27 of Arms Act and Section 4/40(8)
B.M.M.C. Act.

It has been submitted that petitioner has clean
antecedent. There is general and omnibus allegation against this
petitioner. In the written report, it is alleged that police got
information about storage of sand and illegal wine by one Vipin
Chaudhary and the same being loaded in the truck. The police
party reached at petrol pump, then 30-40 persons arrived duly
armed with weapons, surrounded the police party and assaulted
them. The petitioner is also named in FIR, who was present in
mob.



As such there is no specific allegation of overt act against this petitioner.

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) each with two sureties of the like amount each in connection with Sadar (Hajipur) P.S. Case No. 462 of 2017 to the satisfaction of learned C.J.M., Hajipur, Vaishali 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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