

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48028 of 2017

Arising Out of PS.Case No. -161 Year- 2017 Thana -SHASTRINAGAR District- PATNA

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1. Rakesh Kumar Jha @ Rakesh Jha, son of late Sitaram Jha, R/o Village/Mohalla- Salempur, P.S.- Musri Gharari, District- Samastipur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 09-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Shastrinagar**
P.S. Case No.161 of 2017 instituted for the offence under
Section(s) 302, 324, 120-B/34 Indian Penal Code.

Counsel for the petitioner has submitted that there is
no eye witness in the case. There is no specific allegation against
the petitioner. Name of the petitioner has been dragged due to
village politics.

It is alleged in the written report that son of the
Informant was shot dead in his shop by some unknown
miscreants. Informant has mere raised suspicion against this
petitioner in the written report.

Learned APP after looking into the case diary has



submitted that witnesses have only raised suspicion against the petitioner.

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 **Shastrinagar P.S. Case No.161 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 **Sub-Judge IV-cum-Additional Chief Judicial Magistrate, Patna**, 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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