

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29676 of 2017

Arising Out of PS.Case No. -138 Year- 2015 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

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Shankar Paswan, Son of late Laxaman Paswan, Resident of Village-Bihari
Garh, P.S. Bhagwanpur District Vaishali at Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bhagwanpur
P.S. Case No. 138 of 2015 instituted for the offence under
Sections 147, 148, 149, 323, 354, 376, 511 and 504 of the Indian
Penal Code.

It has been submitted on behalf of the petitioner that
he has no criminal antecedent. He has been falsely implicated in
this case on account of business competition between the parties.
It has further been submitted that the instant case is a counter blast
of Bhagwanpur P.S. Case No. 118 of 2015 lodged by Raju Paswan
against the husband of the informant and others.

From the written report, it appears that there is
allegation against the petitioner that he attempted to outrage the
modesty of the informant.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bhagwanpur P.S. Case No. 138 of 2015, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-3, Vaishali at Hajipur, 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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