

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46577 of 2018

Arising Out of PS.Case No. -28 Year- 2018 Thana -SARAIYA District- MUZAFFARPUR

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1. Manish Kumar S/o Haris Chandra Rai, R/o Vill.- Kataru (wrongly
Mentioned as Matihani), P.S.- Paru, Distt.- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Saraiya P.S.
Case No. 28/2018, instituted for the offences punishable under
Section 392 of the Indian Penal Code read with Section 27 of the
Arms Act.

In the written report, it is alleged that on the date of
occurrence, the informant along with his staff were going to
deposit the amount of Rs. 5,28,000/- in the Bank. When they
reached on the road, a white colour Apache motorcycle stopped in
front of his shop and two persons came near him and intercepted
his bike. One of the accused opened fire upon the staff of the
informant, namely, Ranjeet but it misfired. The person who was



opening fire was apprehended by the informant and another person snatched bag containing the amount and fled away. The apprehended person disclosed his name as Raja Babu and from his possession one loaded pistol was recovered. He disclosed the name of this petitioner before the police in his confessional statement.

From the written report itself, it appears that there is no recovery of any incriminating article from possession of this petitioner. The petitioner has clean antecedent.

Considering the facts and circumstances of the case, the 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 Saraiya P.S. Case No. 28/2018, 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 the learned A.C.J.M. 1st, Muzaffarpur (West), subject to the conditions as laid down under Section 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 tamper 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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