

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46599 of 2018

Arising Out of PS.Case No. -63 Year- 2018 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

=====

1. Shambhu Kumar S/o Late Ram Chandra Prasad, R/o Race Course,
Chakkar Maidan South, P.S.- Kazi Mohammadpur, District- Muza ffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhay Shankar
Ms. Roona

For the Opposite Party/s : Mr. Sri Sanjay Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Kazi
Mohammadpur P.S. Case No. 63/2018, instituted for the offences
punishable under Sections 147, 148, 149, 332, 333, 353, 452, 427,
307, 323, 324, 326, 379 and 120(B) of the Indian Penal Code.

In the written report, it is alleged that at the
instigation of Krishna Singh, Manoj Ranjan, Abhimanyu Chauhan,
Shambhu Kumar (Petitioner) and others, 100 persons assembled
and they had altercation with the Jawans for dumping garbage and
digging drain in which some Jawans sustained injuries.

Learned counsel for the petitioner has submitted that



the petitioner has clean antecedent. He is a government servant working as Senior Accountant in P.W.D. Department, Muzaffarpur. At the time of occurrence, he was not present on the spot rather he was in his office. The petitioner is named in the F.I.R. since he is old resident of the locality where the occurrence is alleged to have taken place. In the F.I.R., there is no allegation of specific overt act against this petitioner.

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 Kazi Mohammadpur P.S. Case No. 63/2018, 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 Sub Judge I-cum-Additional Chief Judicial Magistrate, East, Muzaffarpur, 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.)

Rakhi

U		T	
---	--	---	--

