

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3309 of 2018

Arising Out of P.S.Case No. -234 Year- 2016 Thana -JOKIHAT District- ARRARIA

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Umar @ Umar Alam S/o Late Haseeb, R/o Village- Taran, P.S.- Jokihat,
District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, ADVOCATE

For the Opposite Party : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 02-02-2018

Heard.

2. The petitioner apprehends arrest in connection with
Jokihat P.S.Case No.234 of 2016 registered for an offence under
Sections 307 and other ancillary Sections of the IPC.

3. Petitioner is named in the FIR with allegation that he
along with several others having entered into the hospital,
ransacked the properties of the hospital and also assaulted doctors
and others.

4. Learned counsel submits that petitioner has been
made accused merely on suspicion and no specific overt-act has
been attributed against him. He further submits that due to careless
behaviour of the said hospital and even if it assumed that
petitioner was present on the place of occurrence, then also it
cannot be said that he had also participated in ransacking the
properties of the hospital. He further submits that similarly
situated co-accused persons have already been granted



anticipatory bail by a coordinate Bench of this Court in Cr.Misc.No.42717 of 2016.

5. However, learned APP opposed the submissions.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail is allowed. Let the above named petitioner in the even of his arrest or surrender before the court below within six weeks from today 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 CJM, Araria in connection with Jokihat P.S.Case No.234 of 2016 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

B.Kr./-

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