

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2363 of 2018

Arising Out of PS. Case No.-142 Year-2017 Thana- SAHIYARA District- Sitamarhi

Abdhesh Thakur, S/o Daroga Thakur, Resident of village- Matiyar, P.S.-
Sahiyara, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 15-02-2018 Learned counsel for the petitioner is permitted to make necessary correction in the father's name of the petitioner in course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends his arrest in Sahiyara P.S. case no. 142 of 2017 instituted for the offence under Section(s) 147,148,149, 302,341, 323, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that in paragraph nos. 7 , 8 and 9 of the case diary there is specific allegation against co-accused Ganesh Thakur of assaulting the husband of the informant on head with bamboo. The doctor in the postmortem report found only one injury on occipital region.



Learned counsel for the petitioner has submitted that there is general and omnibus allegation against this petitioner. It is further submitted that other co-accused of this case with similar allegation have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 15.1.2018. passed in Cr. Misc. no. 1899 of 2018.

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 Sahiyara P.S. case no. 142 of 2017, 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-5, Sitamarhi 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)

shyambihari/-

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

