

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3074 of 2018

Arising Out of PS.Case No. -57 Year- 2017 Thana -SRI NAGAR District-MADHEPURA

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Dilip Sah @ Dilip Kumar, S/o Chit Narayan Sah, Resident of village-
Parmanandpur, P.S. Sri Nagar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 01-02-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends arrest in connection with Sri Nagar
P.S. Case No.57 of 2017 registered for the offences under
Sections 341, 323, 324, 307, 353, 225, 333 and 504/34 of the
Indian Penal Code.

It is alleged that when the informant, who is a police
officer, went at the place of this petitioner to arrest him in
connection with Sri Nagar P.S. Case No.37 of 2017, and was
filling memo of arrest, this petitioner started abusing and torn the
memo of arrest. The other co-accused assaulted the informant by
lathi, danda and farsa.

It has been submitted that the other co-accused, namely,



Nirmal Sah, Lalan Sah and Mithilesh Kumar Sah, who allegedly assaulted the informant, have been allowed bail by different Benches of this Court in Cr.Misc.No.44351 of 2017 and Cr.Misc.No.48950 of 2017. The case of the petitioner stands on similar footing.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioner, in the event of arrest or surrender before the learned court below within six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the likewise amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Sri Nagar P.S. Case No.57 of 2017, subject to the conditions as laid down under Section 438(2) of Cr.P.C., with further conditions that:-

- (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) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself 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)

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