

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41228 of 2017

Arising Out of PS.Case No. -55 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

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Pankaj Kumar, Son of Rachita Singh, Resident of Village- Danai, P.S.-
Rafiganj, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Rafiganj P.S.**

Case No. 55 of 2016 instituted for the offence under Sections 147,
148, 149, 341, 323, 324, 307 of the Indian Penal Code and Section
27 of the Arms Act.

Learned counsel for the petitioner has submitted that
in the written report there is general and omnibus allegation
against this petitioner of assaulting the informant and others as
named in the written report. Later on, one Jai Ram Singh died and
subsequently, Section 302 Indian Penal Code was added.

Case diary has been received.

The injury report of the informant is available in
paragraph-68 of the case diary. The postmortem report of the



deceased has been enclosed as Annexure-3 wherein the Doctor has stated that various viscera has been preserved as the cause of death was not ascertained.

From Annexure-2, it appears that other co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 11.01.2017 passed in Cr. Misc. 46578 of 2016.

Considering the facts and circumstances of the case, 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 **Rafiganj P.S. Case No. 55 of 2016**, 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 **learned Chief Judicial Magistrate, Aurangabad**, 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.

S.Ali/-

(Sanjay Priya, J)

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