

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28409 of 2018

Arising Out of PS.Case No. -483 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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Rajesh Kumar Srivatava @ Rajesh Srivastav, S/o Late Yamuna Prasad Sinha, R/o Rahamganj, Naka No.6, Hospital Road, Laheriasarai, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Jha, Advocate.

For the Opposite Party/s : Smt. Sangeeta Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-06-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Laheriasarai P.S. Case No. 483 of 2016, G.R. No. 3264 of 2016** instituted for the offence under Sections 147, 149, 341, 323, 153(A) and 504 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that petitioner has no criminal antecedent.

In the written report it is alleged that Sanjeev Mishra was leading the procession. It is alleged that in spite of objection by the informant, two persons came with colour and tried to forcibly put on the person of the informant by calling him “*Pakistani*”.

Learned counsel for the petitioner has submitted that



from the prosecution case itself it appears that mere suspicion has been raised against this petitioner.

In the written report there is general and omnibus allegation against the petitioner.

Case diary has been received.

Learned A.P.P. has submitted that there is no injury report of the informant available in the case diary.

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 **Laheriasarai P.S. Case No. 483 of 2016, G.R. No. 3264 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, Darbhanga**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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)

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