

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28678 of 2018

Arising Out of PS. Case No.-540 Year-2017 Thana- CHAPRA TOWN District- Saran

Mintu Singh S/o Late Baij Nath Singh, R/o Vill.- Bara Telpa, Nai Basti, P.S.-
Chapra Town, District- Saran, at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Sri Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Chapra Town P.S. Case
No. 540 of 2017 instituted for the offence under Sections 341,
323, 353, 504 and 506/34 of the Indian Penal Code.

In the written report it is alleged that informant who is
Engineer in private company as mentioned in the written report
was doing the work of fixing of pole and during that period this
petitioner abused the informant and gave threat to kill.

Learned counsel for the petitioner submits that in the
written report it is mentioned that informant is employed as
Private Engineer. Therefore no offence is made out under Section
353 of the IPC. It is further submitted that some altercation had
taken place for fixing the pole in front of the house of the
petitioner. It is stated in para 3 of the bail petition that petitioner



has clean antecedents.

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 Chapra Town P.S. Case No. 540 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 C.J.M., Saran at Chapra 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)

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