

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31263 of 2018

Arising Out of PS.Case No. -169 Year- 2017 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Bittu Kumar Srivastava Son of Sri Suresh Prasad Srivastava Resident of
Village- Laxmipur Pakariya, Police Station- Adapur, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Kalyan Shankar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Adapur P.S.Case no.169 of 2017 , registered for offences
punishable under Sections 341, 323, 324, 354, 307, 147, 148, 149,
379, 504, 506 of the Indian Penal Code.

Allegation against the petitioner is of assault to one
Kanhaiya Patel and Rameshwar Patel and there is also allegation
of assault against the other accused persons on the deceased.

Submission of the learned counsel for the petitioner is that
there is no allegation of assault against the petitioner to the
deceased and they have not touched the body of the deceased and
the other co-accused having similar allegation have been granted
privilege of the anticipatory bail, vide order dated 9.11.2017
passed in cr. Misc. No.51529 of 2017 and order date 13.7.2018



passed in Cr. Misc. No.40677 of 2018

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Raxaul at Motihari in connection with Adapur P.S.Case no.169 fo 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

