

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31099 of 2018

Arising Out of PS.Case No. -336 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Sanjay Kumar Singh @ Katriya, S/o- Ram Prakash Singh @ Prakash Singh,
Resident of Village- Naurangabad, Digha Kala west, P.S.- Sadar Hajipur,
District- Vaishali (Hajipur).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 16-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Hajipur Sadar P.S. Case No. 336 of 2017 instituted for the offence under Sections-147, 148, 149, 341, 447, 323, 307, 302, 504 and 120(B) the Indian Penal Code.

In the written report, there is specific allegation against Jai Prakash Rai of brutal assault of Rajeev Kumar Sharma, the brother of the informant. It is further alleged that thereafter, other accused persons also assaulted him with Danda.

Counsel for the petitioner submits that he is not named in the FIR. His name surfaced in course of investigation on the basis of CCTV footage. It is further submitted that it is mentioned in the case diary that CCTV was far away from the place of occurrence. The petitioner has got no criminal antecedent.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Hajipur Sadar P.S. Case No. 336 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur subject to condition as laid down u/S 438(2) of the 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 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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