

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35278 of 2018

Arising Out of PS.Case No. -58 Year- 2017 Thana -BABUBARHI District- MADHUBANI

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1. Manoj Kumar Sahani @ Manoj Sahani, son of Sobha Lal Sahani,
resident of village- Baruar, P.S. Babubarhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
Smt. Nitu Kumari, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 27-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Babubarhi P.S.**

Case No.58 of 2017 instituted for the offence under Section(s)
143, 341, 323, 353, and 504/34 Indian Penal Code.

In the written report, it is alleged that one Ram Kripal Sahani was arrested by the police for taking liquor. It is also alleged that, in the meantime, this petitioner and other accused persons surrounded the police party and rescued Ram Kripal Sahani from custody of the police.

As such from the written report itself, it appears that the petitioner is alleged to be only member of unlawful assembly.

It is mentioned 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 **Babubarhi P.S. Case No.58 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 **Additional Chief Judicial Magistrate II, Madhubani**, 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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Rohit Kr.

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