

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41354 of 2018

Arising Out of PS.C.ase No. -91 Year- 2018 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Motilal Sharma S/o Late Gayatri Sharma, R/o Vill.- Kurtha, P.S.- Belaon,
District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Smt. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Bhagwanpur
(Belaon) P.S. Case No. 91/2018, instituted for the offences under
Sections 147, 148, 149, 323, 307, 332, 333, 353 and 427 of the
Indian Penal Code.

Learned counsel for the petitioner has submitted that
the name of the petitioner has been disclosed in the written report at
the instance of Chaukidar. There is no allegation of specific overt act
against this petitioner. He is only a member of unlawful assembly.

Considering the facts and circumstances of the case, the
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 Bhagwanpur (Belaon) P.S. Case No. 91/2018, 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 learned Additional Chief Judicial Magistrate-II, Kaimur at Bhabhua, subject to the conditions as laid down under Section 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 automatically cancel bail bond of the petitioner and (3) if petitioner tamper 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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