

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57632 of 2017

Arising Out of PS.Case No. -343 Year- 2017 Thana -SONEPUR District- SARAN

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1. Vikash Rai, S/o Sakindar Rai @ Cycle Rai, R/o- Village- Sabalpur
Chaharam, P.S.- Sonepur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra, Advocate

For the Opposite Party/s : Smt. Sahin Begam, APP

For the Informant : Mr. Anant Kumar Bhaskar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 17-02-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the informant.

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

Case No.343 of 2017 instituted for the offence under Section(s)
302/34 Indian Penal Code.

Counsel for the petitioner has submitted that the petitioner is not named in the written report. Informant has not taken the name of this petitioner in his further statement. None of the family members of the informant has taken the name of this petitioner before the police in their statement as mentioned in paragraph 7, 11, 12 and other paragraphs of the case diary.

Name of the petitioner has been taken by witnesses, namely, Amrit Rai and Chhatu Rai, in para 39 and 40 of the case



diary. The petitioner is on inimical terms with these persons and, therefore, they have taken name of this petitioner. Police has made the petitioner accused only on the basis of their statement. It is further submitted that the petitioner is a student having clean antecedents.

Counsel for the informant has appeared and opposed the prayer for bail.

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 **Sonepur P.S. Case No.343 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 **Chief Judicial Magistrate, 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 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.

JA/-

(Sanjay Priya, J)

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