

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44956 of 2018

Arising Out of PS.Case No. -638 Year- 2017 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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Rajesh Kumar @ Pataniya @ Patanahiya S/o Late Kishori Lal, R/o Kali
Asthan Hilsa, P.S.- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.
Mr. Satyendra Prasad Singh, Advocate.
For the Opposite Party/s : Mr. Sri Abhay Kumar – 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Hilsa P.S.**

Case No. 638 of 2017 instituted for the offence under Sections
147, 148, 149, 353, 307, 332, 333, 186, 187, 115, 153(B), 295(A),
341, 120(B) and 325 of the Indian Penal Code.

Counsel for the petitioner submits that in the written
report petitioner is only named as member of unlawful assembly.
There is no allegation of any specific overt act against the
petitioner.

From the written report it appears that some
altercation has taken place between the police party and local
resident at the time of *Tazia* procession.



Considering the facts and circumstances of the case, 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 **Hilsa P.S. Case No. 638 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 learned **Additional Chief Judicial Magistrate, Hilsa Nalanda**, 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.

S.Ali/-

(Sanjay Priya, J)

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