

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44810 of 2017

Arising Out of PS.Case No. -383 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Prince Kumar Son of Late Ram Janam Rai, Resident of Mohalla- Bara
Pokhar Chak, Jagdishpur, P.S.- Sadar, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sadar (Hajipur) P.S.
Case No. 383 of 2016 instituted for the offence under Sections-307/34
of the Indian Penal Code and 3/4 of Explosive Substances Act.

It is alleged in the written report that this petitioner threw
explosive substance over the son of the informant with intention to kill
him and fled away. It is mentioned in the written report itself that police
came and recovered non-exploded bomb.

As per written report itself, there is no injury to anybody as
bomb did not explode.

Counsel for the petitioner has submitted that the petitioner
and son of the informant were students of the same school and some
scuffle has taken place during playing of cricket and therefore, the
instant case has been lodged.



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 Sadar (Hajipur) P.S. Case No. 383 of 2016 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 cause 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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