

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.484 of 2018

Arising Out of PS.Case No. -489 Year- 2017 Thana -RAJAUN District- BANKA

=====

1. Banshidhar Rai S/o Gouri Rai, R/o Village- Salempur, P.S.- Amarpur,
District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 13-02-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Rajoun PS case no. 489 of 2017 registered for
the offences punishable under Sections 302, 201, 120B/34 of
Indian Penal Code.

The case of the prosecution is that the petitioner
had hired the auto-rickshaw which was being driven by the
deceased and on the next day, the dead body of the auto driver was
found.

The learned counsel for the petitioner submits that
there is no evidence to suggest any motive on the part of the
petitioner to kill the auto-rickshaw driver or to suggest any



complicity of the petitioner herein with the alleged occurrence. The petitioner is stated to have a clean antecedent.

Having regards to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Rajoun PS case no. 489 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

It is further directed that the petitioner shall join investigation and would be present at the place where the investigating agency directs the petitioner to be present. It is clarified that if the prosecution finds that the petitioner is not cooperating in investigation then it would be free to move this Court for cancellation of the bail. It is further directed that the petitioner shall mark his presence before the officer-in-charge of the concerned police station at 10 am on every Monday and in



case of failure to do so on two consecutive occasions, the present
privilege of bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

