

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2994 of 2018

Arising Out of PS. Case No.-172 Year-2017 Thana- BARARI District- Katihar

Binod Paswan @ Binod Dilwar, S/o Sita Ram Paswan, Resident of Village-
Ajhokupa, P.S.- Rupuli, Distt- Purnea. Petitioner

Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 19-01-2018 Heard the Counsel for the petitioner. No one has appeared on behalf of the State.

Apprehending his arrest in connection with Barari (Semapur) P.S. Case No. 172 of 2017 registered under sections 302, 120B and 34 of the Indian Penal Code, the petitioner has prayed for grant of anticipatory bail.

Manifestly, the allegation of causing death by gun shot injury is attributed to co-accused Md. Madhu Mian and Shabir. The only allegation against the petitioner is that he along with Manish Bhagat and some others partners of the shop of which the deceased was licensee were seen following the victim in a different vehicle. Learned counsel submits that considering the aforesaid nature of allegation, co-accused namely Manish Bhagat, who is similarly circumstanced, has been granted privilege of anticipatory bail vide order at Annexure-2.



Referring to the criminal antecedent, it is stated that those were the cases lodged several years ago under minor sections in which the petitioner has the privilege of bail.

Let the petitioner abovenamed be released on bail in the event of his arrest or surrender within four weeks in the Court below on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Barari (Semapur) P.S. Case No. 172/2017 subject to the condition laid down under Section 438(2) Cr.P.C. with further following conditions:-

(I) One of the bailors shall be own/close family member of the petitioner.

(II) No sooner the charges are framed, the petitioner shall appear in person on all dates fixed in the trial the Court below. In case of default of petitioner in such appearance for two consecutive times, the Trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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