

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27516 of 2018

Arising Out of PS.Case No. -173 Year- 2017 Thana -GOGRI District- KHAGARIA

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1. Lalan Tanti, Son of Baleshwar Tanti, resident of Village- Chhoti Muskipur, P.S. Dobari, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2018 Learned counsel for the petitioner seeks permission to make correction in "P.S." of the first page of the petition.

Permission is accorded.

Heard the parties.

The petitioner seeks anticipatory bail in connection with Gogari P. S. Case No. 173 of 2017, registered for offences punishable under Sections 341, 323, 379, 308 and 34 of the Indian Penal Code.

Allegation against the petitioner is that the petitioner along with other co-accused persons assaulted the informant with fat and leg and also assaulted with pepsi bottle and snatched Rs. 2000/- and also his mobile.



Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case and there is no material in the case diary to show the offence under Sections 308 and 379 of the Indian Penal Code. It is also submitted that the petitioner has no criminal antecedent and the similarly situated co-accused persons have been granted anticipatory bail vide order dated 22.02.2018 passed in Cr. Misc. No. 10547 of 2018.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Gogari P.S.Case No. 173 of 2017, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure.

With following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned



court.

- ii) The petitioner will not induce any witness or tamper with the evidence.
- iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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