

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10117 of 2018

Arising Out of PS. Case No.-290 Year-2016 Thana- BAKHTIYARPUR District- Patna

Dev Nandan Mochi, S/o Late Bhagwat Mochi, Resident of Village-Ghangh
Dih, P.S.-Bakhtiyarpur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Niwas Prasad

For the Opposite Party/s : Mr. Sri Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-04-2018 Heard learned counsel for the petitioner and the
State.

The petitioner apprehends arrest in Bakhtiyarpur P.S.
Case No. 290 of 2016 instituted for the offence under Sections
307,504 of the IPC and Section 27 of Arms Act.

In the written report, there is specific allegation
against co-accused Birji Mochi of causing fire-arm injury to the
informant. It has been further submitted that there is case and
counter case between the parties. Counter case has been filed by
co-accused Birji Mochi against the informant and others vide
Bakhtiyarpur P.S. Case No. 292 of 2016.

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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bakhtiyarpur P.S. Case No. 290 of 2016 to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh, Patna, 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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