

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12330 of 2018

Arising Out of PS. Case No.-313 Year-2015 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

Kailash Sahni @ Pradeep Kumar Vijeta, S/o Jhari Sahni, R/o village-
Shobhni, P.S.- Khagaria(Gangour), District- Khagaria.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Kundan Sahni, S/o Late Ram Khelawan Sahni, R/o village- Shobhni, P.S.-
Khagaria(Gangour), District- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Complaint Case
No. 313C of 2015 instituted for the offence under Sections
323,341,379/34 of the IPC.

Counsel for the petitioner has submitted that instant
case has been filed by the complainant to save his skin from
complaint case no. 858C of 2014 lodged by the petitioner
against the complainant prior to lodging of the instant case. In
the instant case there is allegation that while the complainant
was in his house, the petitioner and co-accused variously armed
came in the house, began to abuse and looted the household
articles worth Rs. 1,50,000/-. It has been further submitted that
complainant is uncle of petitioner and instant case has been



lodged on account of family dispute.

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 Complaint Case No. 313C of 2015 to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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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