

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35699 of 2018

Arising Out of PS.Case No. -112 Year- 2017 Thana -HALSI District- LAKHISARAI

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Rajesh Paswan Son of Suresh Paswan @ Luto Resident of Village - Surari,
Police Station - Halsi, District - Lakhisarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Adv.

For the informant : Mr. Sanjeev Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Halsi P.S. Case No. 112
of 2017 instituted for the offence under Sections-304B/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is Bhainsur of the deceased.

Counsel for the informant draws attention of the Court
towards paragraph-7 of the case diary and submitted that one
independent witness has stated that the deceased, came crying outside
the house and at that time, the petitioner was present in the house

Learned APP after perusing the case diary, has submitted
that in paragraph-7 of the case diary, the said witness has not levelled
any specific allegation against this petitioner.

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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Halsi P.S. Case No. 112 of 2017 to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Lakhisarai 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 date fixed by the court and absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if 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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