

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45905 of 2018

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1. Satan Yadav, aged about 52 years, son of Sundar Yadav, resident of Village- Nimi, P.S. Daniawa, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner, the informant as well as the State.

The petitioner apprehends his arrest in Daniawa P.S. Case No. 40/2018, instituted for the offences punishable under Sections 147, 148, 149, 324 and 307 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that in the written report, there is specific allegation that Dinesh Yadav and Mithu Kumar @ Gautam Kumar fired from their pistol and rifle. It is further alleged that on the order of Dinesh Yadav, Mithu Kumar @ Gautam Kumar fired from his rifle which hit the chest of the informant. There is no allegation of specific overt act against this petitioner.

Considering the facts and circumstances of the case,



the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Daniawa P.S. Case No. 40/2018, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Savita Rani, Judicial Magistrate 1st Class, Patna City, subject to the conditions as laid down under Section 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 automatically cancel bail bond of the petitioner and (3) if petitioner tamper 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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