IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61781 of 2017
Arising Out of PS.Case No. -373 Year- 2012 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Sanjay Ray @ Sanjay Yadav @ Sanjay Kumar S/o Late Jugeshwar Rai, R/o Village- Dilawanpur, P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shaishav Kumar
For the Opposite Party/s : Mr. Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-02-2018 Heard the learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks anticipatory bail in connection with Hajipur Town PS case no. 373 of 2012 registered for the offences punishable under Sections 279. 337, 338, 307, 427, 506, 406/34 of Indian Penal Code.

The allegation against the petitioner herein is that he along with other co-accused persons dashed his truck into the motorcycle of the informant on which the informant was sitting and the accused persons tried to kill him resulting in fracture in his legs.

Learned counsel for the petitioner submits that admittedly, even as per the FIR, the other two co-accused persons are said to have business rivalry with the informant and on account of dispute arising therein, the said two co-accused persons might have conspired to assault the informant. There is no material on

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record to suggest that the petitioner had any animosity with the informant and that he purposely had hit the monocycle of the informant resulting in injury. It has been further submitted that the petitioner has no criminal antecedent and the police had taken his statement in the case diary, hence there is no apprehension that the petitioner would flee away from the investigation or trial to be conducted. Lastly, it is submitted that the petitioner in his statement made before the police, had stated that he neither recognizes the informant nor his brother.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the court concerned within a period of six weeks from the date of receipt/ production of a copy of this order, the petitioner above named is directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Hajipur at Vaishali in connection with Hajipur Town PS case no. 373 of 2012 subject to the conditions enumerated under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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