

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62288 of 2017

Arising Out of PS.Case No. -222 Year- 2017 Thana -MAKHDUMPUR District- JEHANABAD
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1. Manish Kumar Son of Shri Shiv Baran Yadav Resident of village- Saren,
P.S.- Makhdumpur (Tehta), District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Ahtash Ali Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection with Makhdumpur (Tehta) P. S. Case No. 222 of 2017 (Trial No. 1985 of 2017) registered for offences punishable under Sections 147, 148,353 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that upon receiving of secret information regarding firing by the accused persons, the informant along with the Chowkidar and others reached at the place of occurrence and found that the petitioner along with the others were raising slogan against police and also firing.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, no recovery has been made from the conscious possession of the petitioner and there is no allegation of hitting any one or causing



fire arm injury. It is further submitted that the petitioner has a fair antecedent barring one case, bearing Makhdumpur P.S.Case No. 68 of 2005, in which the petitioner is already on bail.

Having regard to the facts and circumstances of the case, I find that as far as the petitioner is concerned, at least he is entitled for grant of anticipatory bail.

Accordingly, above named petitioner is directed to be released on anticipatory bail in the event of arrest or surrender within six weeks on furnishing bail bond of Rs. 10,000/-(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Jehanabad in connection with Makhdumpur (Tehta) P. S. Case No. 222/2017 (Trial No. 1985 of 2017), subject to the conditions enumerated under Section 438 (2) of Code of Criminal Procedure. It is further directed that the petitioner will appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will result in cancellation of the present privilege of anticipatory bail automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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