

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19789 of 2018

Arising Out of PS. Case No.-796 Year-2017 Thana- KHAZANIHAT District- Purnia

Rishav Saha @ Ishan Sourav Son of Dharmu Narayan Saha @ Dharmo Narayan Saha Resident of High School Para, at P.O. and Police Station-Katihar, District-Katihar ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner	:	Mr. Sanjeev Ranjan, Adv.
For the State	:	Mr. Navin Kumar Pandey, APP 112
For the informant	:	Mr. Pramod Kumar Mallick, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-05-2018 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

Petitioner apprehends his arrest in connection with K.Hat (Sahayak) P.S. Case No. 796 of 2017 instituted for the offence under Sections 365, 120B, 406 and 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the son of the informant has gone missing on 27.04.2012 for which he had given the missing report in Sahayak Police Station on 10.05.2017 which was registered as Station Diary No. 4 of 2012.

The learned counsel for the petitioner submitted that on the date of occurrence the altercation took place between the informant and the petitioner, as mentioned in the complaint petition, in which the petitioner told the informant



that the occurrence which happened with his son will happen with this petitioner. Thereafter, the instant complaint has been lodged against the petitioner and other accused persons for offence under Sections 365, 120B, 406 and 34 of the Indian Penal Code, which was sent under Section 156(3) of the Criminal Procedure Code to the police. As such, besides suspicion there is no other allegation against the petitioner.

The learned counsel for the informant opposed the prayer for bail.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **K.Hat (Sahayak) P.S. Case No. 796 of 2017** 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 the **Chief Judicial Magistrate, Purnia**, subject to the conditions as laid down under Section 438(2) Criminal Procedure Code 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 his



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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