

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14947 of 2018

Arising Out of PS.Case No. -135 Year- 2017 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Narendra Paswan S/o Jiut Paswan, R/o Village- Bairiyadih, P.S.-
Harsidhi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Md. Arif, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and leaned

Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection with Harsidhi P.S. Case No. 135 of 2017 registered for offences punishable under Sections 341, 447, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

The allegation as per written report is that this petitioner along with four unknown associates came at the door of the informant and they abused him and demanded ransom. The informant raised protest, whereupon the petitioner and his associates assaulted the informant with knife blow and also wrapped rope around his neck with intention to kill him. The petitioner snatched gold chain and cash worth Rs. 48,000/ from the informant.



It has been submitted that earlier to this case the petitioner had lodged a case bearing Harsidhi P. S. Case No. 132 of 2017 on the same date for the offence under Sections 341, 447, 323, 504, 506/34 of the Indian Penal Code as well as under Section 3 (1) (X) of the SC/ST Act. In the alleged occurrence, the informant neither sustained injury nor he was admitted in hospital, which is apparent from Annexure-2, which is information collected from hospital under Right to Information Act. The petitioner has clean antecedent and he deserves anticipatory bail.

Learned counsel for the informant as well as learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case, the prayer of Anticipatory bail of petitioner is allowed and in the event of his arrest or surrender before the Court below within a period of six weeks from today, the above named petitioner be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Harsidhi P.S. Case No. 135 of 2017 to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, subject to the condition laid down under Section 438 (2) of the Criminal Procedure with other conditions that (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.

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(Sanjay Kumar, J)

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