

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24750 of 2018

Arising Out of PS.Case No. -282 Year- 2017 Thana -DIGHA District- PATNA

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1. Nilesh Rai @ Nilesh Prasad S/o Late Laxmi Rai, R/o Mohalla- Kurji
Gate No. 65, P.S.- Digha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra, Advocate

For the Opposite Party/s : Smt. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-05-2018 Heard the parties.

The petitioner seek anticipatory bail in connection with
Digha P. S. Case No. 282 of 2017, registered for offences
punishable under Sections 144, 145, 146, 147, 148, 140, 114, 115,
342, 323, 307, 353, 395, 397, 186, 332, 333, 336, 337, 338, 427,
504 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner is that during the
course of measurement and removing the encroachment by the
police party, several people assembled and started protest and
throwing stones including the petitioner through which the
Government officials sustained injuries.

Submission of the learned counsel for the petitioner is
that though the petitioner is named in the F.I.R. but no specific



allegation has been attributed against him. It is also submitted that other co-accused with similar allegation have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 19.12.2017 passed in Cr. Misc. No. 58328 of 2017.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Patna in connection with Digha P.S.Case No. 282 of 2017, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure.

With following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- ii) The petitioner will not induce any witness or tamper with the evidence.



iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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