

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29938 of 2018

Arising Out of PS. Case No.-91 Year-2014 Thana- GADHPURA District- Begusarai

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Bucho Paswan S/o Late Sanichar Paswan, R/o Vill.- Murahah, P.S.- Hasanpur,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Gadhpura P.S. case no.
91 of 2014 instituted for the offence under Section(s) 302,
384/34 of the Indian Penal Code and Section 27 of the Arms
Act.

Learned counsel for the petitioner submits that there is
specific allegation in the written report against co- accused
Chandra Shekhar Paswan of causing fire arm injury to the
brother of the informant. There is general and omnibus
allegation against this petitioner of making demand of money
from the brother of the informant.

Learned counsel for the State opposed the prayer for
bail and submitted that anticipatory bail of this petitioner was



rejected by the learned Sessions Judge, Begusarai on 27.7. 2016 and he has moved application for anticipatory bail after more than one year. Learned counsel for the petitioner has submitted that petitioner was patient of sciatica disease therefore he could not move earlier for anticipatory bail. In this connection, he has filed medical report of the Doctor which is annexed as Annexure-2 to the bail petition. It is further submitted that no process under Section 82 Cr. P. C. has been issued against the petitioner.

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 Gadhpura P.S. case no. 91 of 2014, 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 learned A.C.J.M.-IV, Begusarai, subject to the conditions as laid down under Section 438(2) Cr. P. C. 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 absence



on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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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