

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20910 of 2018

Arising Out of PS.Case No. -11 Year- 2018 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Arun Rai, S/o Fakira Rai,
2. Chandan Kumar S/o Arun Rai, Both are R/o Vill.- Singhara Tara, P.S.-
Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-06-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Mahua P. S. Case No. 11 of 2018, registered for offences punishable under Sections 341, 323, 325, 379, 506, 504 and 34 of the Indian Penal Code.

Allegation against the petitioner No. 1 is of assault by rod on the knee and heel of right leg and against the petitioner No. 2 is of assault on the knee and wrist of right hand of the informant.

Submission of the learned counsel for the petitioners is that no such occurrence was taken place rather the case is of the motorcycle accident and the petitioner has been



falsely implicated in this case.

Learned A.P.P. and learned counsel for the informant oppose on the ground that the petitioner No. 1 is accused in two other cases and in one of the Sessions Trial, he is absconding.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner No.1 is concerned, I am not inclined to grant bail to the petitioner, Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the court below within a period of four weeks from the date of order and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

So far the case of the petitioner No.2 is concerned, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each in connection with Mahua P. S. Case No. 11 of 2018 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other conditions that bailors should be local



having sufficient immovable property within the jurisdiction of the Court concerned and petitioner shall cooperate in the investigation and shall be present before police as and when required, otherwise prosecution is at liberty to move for cancellation of their bail bonds.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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