

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41643 of 2018

Arising Out of PS.Case No. -231 Year- 2015 Thana -ALOU LI District- KHAGARIA

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1. Babujan Sada, son of Rameshwar Sada @ Jageshwar Sada, resident of
Village- Larhi- Piparpanti, P.S.- Alauli, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 18-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Alauli P.S. Case No.231 of 2015** instituted for the offence under Section(s) 147, 341, 323, 379, 385, 504, 506 Indian Penal Code.

Counsel for the petitioner submits that although petitioner is named in the First Information Report, but there is no allegation of any specific over act against the petitioner.

In the written report, there is general and omnibus allegation that all the accused persons variously armed came at Ganga Sagar Machhra Jalkar, abused the informant and demanded extortion of Rs.50,000/- and told that unless the extortion amount is paid, they would have no right on Jalkar. They also opened fire and took away Rs.2500/- from the pocket



of the informant and went away with boat and net etc.

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 **Alauli P.S. Case No.231 of 2015**, 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, Khagaria**, 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 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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