

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3589 of 2018

Arising Out of PS.Case No. -243 Year- 2017 Thana -MALSALAMI District- PATNA

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1. Anil Kumar Son of Shri Bijali Singh Resident of village- Basgitiya, P.O.-
Jamori, P.S.- Bikramganj, District- Rohtas, At present posted as
Enforcement Sub- Inspector, Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Pandey

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-02-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Malsalami P.S.Case No.243 of 2017 , registered for offences
punishable under Sections 307, 326 and 34 of the Indian Penal
Code.

Allegation against the petitioner, as per FIR is that he has
assaulted the informant and the other allegations are that another
home-guard made firing on the mob causing some injuries to some
other persons and the informant is the government official.

Submission of the learned counsel for the petitioner is that
from the FIR itself it will appear that he was on official duty and
during the period of his duty, the informant made intervention and
thereafter some occurrence took place but there is no allegation of
firing against this petitioner. It is further submitted that he had



informed to his higher official (District Transport Officer, Patna) with regard to the incident, vide letter dated 15.9.2017 annexed as Annexure 2 to the petition. Apart from that there is no allegation against him.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, let the petitioner, above named, 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) with two sureties of the like amount each to the satisfaction of the learned Sub Judge 4th-cum-A.C.J.M., Patna City, Patna in connection with Malslami P.S.Case No.243 of 2017, subject to conditions 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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