

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17748 of 2018

Arising Out of PS. Case No.-220 Year-2017 Thana- BAKHTIYARPUR District- Patna

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Lalmohan Rai, S/o Chandar Ray, Resident of Village-Chiraiya, Police Station
Bakhtiyarpur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Bakhtiyarpur P.S. case
no. 220 of 2017 instituted for the offence under Section(s)
147,148,149,341, 323, 324 and 307 of the Indian Penal Code
and Section 27 of the Arms Act.

In the written report there is specific allegation against
co-accused Dukhan Rai of making firing with his rifle causing
injury to Jai Kumar Rai who subsequently died. This petitioner
is merely said to be the order giver.

The case diary has been received. The postmortem report
of the deceased is available in the case diary wherein the doctor
has found one entry and exit wound which was opined by the
doctor to be caused by fire arm.



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 Bakhtiyarpur P.S. case no. 220 of 2017, 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 ACJM Barh, 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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