

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36746 of 2018

Arising Out of PS. Case No.-38 Year-2018 Thana- BHAGWANPUR District- Begusarai

Shankar Rai @ Ramshankar Rai S/o Hito Rai @ Bido Rai, R/o Vill.-
Bishanpur, Manopur, Ward No.4, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Smt Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Bhagwanpur P.S. case
no. 38 of 2018 instituted for the offence under Section(s) 147,
148,149, 448, 504, 323, 307, 379 and 427 of the Indian Penal
Code.

Learned counsel for the petitioner has submitted that
petitioner has no criminal antecedents. Prior to lodging of the
present case co accused Dharmendra Kumar, who happens to be
son of the petitioner, has lodged a case vide Bhagwanpur P.S.
case no. 37 of 2018 against the informant and others.

In the instant case, the allegation against this petitioner is
of assaulting the informant by means of iron rod. The injury
report of the informant is Annexed as Annexure-3 which shows



that doctor has found simple injury on his person.

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 Bhagwanpur P.S. case no. 38 of 2018, 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 CJM, 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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