

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28096 of 2018

Arising Out of PS.Case No. -177 Year- 2016 Thana -NAUTAN District- SIWAN

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1. Surendra Rajbhar son of Indrasan Rajbhar Resident of Village - Semariya, P.S. Nautan, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Nautan P.S.Case No.177 of 2016 , registered for offences punishable under Sections 147, 148, 149, 307 and 302 of the Indian Penal Code.

Allegation against the petitioner and other accused persons is of assault by *lathi* and *farsa* to the deceased causing injury.

Submission of the learned counsel for the petitioner is that there is general and omnibus allegation and the dispute relates to playing cricket between the children and other accused persons who are having similar allegation have been granted privilege of the anticipatory bail, vide order dated 11.4.2017 passed in Cr. Misc. No.9476 of 2017 and order dated 1.7.2017 passed in Cr.



Misc. No.27503 of 2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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 receipt of the 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 A.C.J.M. XII, Siwan in connection with Nautan P.S.Case No.177 of 2016, subject to condition 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.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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