

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40469 of 2018

Arising Out of PS. Case No.-302 Year-2017 Thana- GAYA KOTWALI District- Gaya

RAHUL KUMAR @ JHILKAT @ RAHUL son of Shambhu Prasad R/o
mohalla Maharani Road, P.S.Kotwali, Dist. Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-07-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Kotwali P. S. case no. 302
of 2017 instituted for the offence under Section(s) 447, 147, 148,
149, and 504 of the Indian Penal Code and Section 27 of the Arms
Act.

Learned counsel for the petitioner has submitted that there is
no any specific allegation of specific overt act against this petitioner.
There is allegation that this petitioner and other hurled abuses and
resorted to firing. It is mentioned in the written report itself that
there is no injury caused to anybody. It has further been submitted
that similarly situated co accused has been granted anticipatory bail
vide order dated 4.4.2018 passed by this Hon'ble Court in Cr. Misc.
No. 11944 of 2018.

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 Kotwali P.S. case no. 302 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 CJM, Gaya, 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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