

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42410 of 2018

Arising Out of PS.Case No. -48 Year- 2018 Thana -KUDHNI District- MUZAFFARPUR

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1. Lalu Rai S/o Late Julum Rai, R/o Vill.- Dariyapur Kafen (Bakarpur),
P.S.- Kudhani (Turki O.P.), District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunwar Ajit Singh

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Kudhani (Turki O.P.) P.S. Case No. 48/2018, instituted for the offences punishable under Sections 147, 148, 149, 323, 324, 307 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 and 27 of the Arms Act.

Learned counsel for the petitioner has submitted that in the written report, there is general and omnibus allegation against this petitioner. It is further submitted that for the same day of occurrence two separate F.I.R. have been lodged by different informant i.e. Kudhani (Turki O.P.) P.S. Case No. 49/2018 registered under Sections 341, 323, 504, 307, 333, 353 and 34 of the Indian Penal Code read with Section 37(C) of the Bihar Excise Act, 2016 as well as Sections 3(1)(r)(s) of the SC/ST Act. It is alleged against this



petitioner that he made firing but that did not hit anyone.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Kudhani (Turki O.P.) P.S. Case No. 48/2018, 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 learned A.C.J.M. III, (West), Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the 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 tamper 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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