

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3714 of 2019

Arising Out of PS. Case No.-461 Year-2018 Thana- GHOSI District- Jehanabad

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Sahjanand Tiwari @ Sahja Tiwari, son of late Satev Tiwari @ Satyadeo
Tiwari, resident of village- Dhowari, PS- Ghosi- District Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 27-03-2019

This case has been listed before this Bench as per minutes of Hon'ble the Chief Justice kept at flag- 'X'.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks anticipatory bail in **Ghoshi (Okari) P.S. Case No.461 of 2018** instituted for the offence under Section(s) 307 and other allied sections of Indian Penal Code and Section 27 of the Arms Act.

In the written report, it is alleged by informant that while he was returning from the house of his *Gotiyas* after taking feast, this petitioner made firing causing injury to Sanjit Kumar.

Case diary has been received. Statement of the injured has been recorded in para 17 of the case diary, wherein, he has



stated that he had not seen who has caused firearm injury to him.

The Sessions Judge has mentioned in the impugned order that Injury Report is not available in Xerox copy of case diary.

Xerox copy of the case diary has also been received in this Court in which also Injury Report is not available.

In such circumstances, provisional anticipatory bail granted to the petitioner by order dated 25.01.2019 in connection with **Ghoshi (Okari) P.S. Case No.461 of 2018** to the satisfaction of the **Sub Judge 1st, Jehanabad**, is hereby confirmed. The petitioner will be released on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Court concerned in terms of 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 co-operate in the trial and shall be present on each and every date fixed by the Court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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)

J. Alam/-

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