

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9031 of 2019

Arising Out of PS. Case No.-622 Year-2017 Thana- MANER District- Patna

SHIV RAI @ SHIVJI RAI Son of Rajendra Ray, Resident of Village –
Darveshpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh
For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-02-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Maner P.S. Case No. 622 of 2017
registered for offence punishable under sections 147, 148, 149,
152, 188, 341, 323, 307, 332, 333, 337, 338, 427, 441, 353,
504, 506 and 3/4 of the Damage to Public Property Act.

The case has been lodged before the Judicial
Magistrate 1st class, Danapur having stated that a large number
of persons blocked the traffic and they were not allowing to ply
the vehicle including school bus causing immense problem to
the public. When the police party reached there, tried to remove
jam and allowed the persons to ply their vehicle whereupon a
large number of persons have damaged the police jeep as well



as assaulted the police party and they also tried to lit the petrol pump but that could be evaded by the police force.

The learned counsel for the petitioner submits that there is no direct allegation against this petitioner, but a large number of persons assembled on account of sand problem faced by the people of the locality.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Patna in connection with Maner P.S. Case No. 622 of 2017, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an



application for cancellation of his bail bond. Whenever the Police will call the petitioner for the purpose of interrogation/investigation, he would present himself, In case of failure, the prosecution will have liberty to make a prayer for cancellation of his bail before the court below.

(Shivaji Pandey, J)

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