

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77246 of 2018

Arising Out of PS. Case No.-495 Year-2018 Thana- DANAPUR District- Patna

Bunty Kumar Son of Late Shyam Deo Rai, Resident of Village- Sultanpur
Bhatta, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Niwas Prasad, Advocate
For the Opposite Party/s : Sri Bhanu Pratap Singh,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 25-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 323, 341, 354(B), 447, 379, 325, 504, 506, 509/308 IPC registered in connection with Danapur P.S. Case No. 495/2018.

3. It is submitted that the petitioner has been falsely implicated and the fardbeyan has been lodged against as many as 11 named and 80-90 unknown persons. The parties are *gotia* and there is admitted land dispute between the parties, in respect of which T.S. No. 227/2018 is pending in the Court of Sub Judge-I, Danapur. Similarly situated co-accused Sanjay Kumar has been granted anticipatory bail by this Court in Cr. Misc. No. 74268 of 2018. A statement is made at the Bar on behalf of the petitioner that he is accused in the only other case namely, Danapur P.S. Case No. 605/2017 under Section 302 IPC pending before the Judicial Magistrate, Danapur has also been instituted at the instance of the informant's side.

4. Be that it may, in the event of petitioner's arrest or



surrender within four weeks hereof let the above named petitioner be released on provisional anticipatory bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned ACJM I, Danapur in connection with Danapur P.S. Case No. 495/2018 subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

5. The provisional bail granted to the petitioner shall stand confirmed upon verification by the learned Court below, preferably within a further period of twelve weeks after furnishing bail bond, that Danapur P.S. Case No. 605/2017 has been instituted against the petitioner from the side of the informant. In case the petitioner's claim fails upon verification, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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