

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80337 of 2018

Arising Out of PS. Case No.-169 Year-2018 Thana- DINARA District- Rohtas

Ayodhya Paswan Son of Vikarma Paswan, Resident of Village- Maruya Maruaa, P.S.- Dinara, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Mr.Sri Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-01-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Dinara Police Station Case No. 169 of 2018, disclosing offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

On perusal of the First Information Report, it is evident that the allegation of opening fire is against the main accused Banti Sah. So far as this petitioner is concerned, it is alleged in the First Information Report, that there were two persons standing when the occurrence had taken place, whose names were disclosed by the main accused Banti Sah, as the persons who were standing there.



It is evident from the First Information Report that there is no allegation of any overt act against the petitioner.

Considering the facts and circumstances, as noted above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each to the satisfaction of Shri Lal Bihari Paswan, learned Judicial Magistrate, First Class, Bikramganj, Rohtas in connection with Dinara Police Station Case No. 169 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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