

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43004 of 2019

Arising Out of PS. Case No.-92 Year-2018 Thana- HALSI District- Lakhisarai

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1. Umesh Sao @ Umesh Kumar son of Krishn Sao, resident of Tetarhat, PS-Halsi, District-Lakhisarai.
 2. Badal Kumar @ Badal @ Badal Kumar son of Krishori Paswan, resident at Nongarh, PS-Halsi, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The learned counsel for the petitioners submits that petitioner no. 2 has been arrested and, as such, his prayer for bail has rendered infructuous.

Accordingly, this application is dismissed as infructuous with regard to petitioner no. 2.

So far petitioner no. 1, he is making prayer for anticipatory bail in connection with Halsi P.S. Case No. 92 of 2018 registered for offence punishable under sections 353, 188/34 of the Indian Penal Code.

Allegation has been made that one Saroj Devi with the help of Vikash Sah, Bittu Sah, Umesh Sao and Badal Kumar



blocked the road movement and it remained in operation for two hours, caused great inconvenience to the public and later on, situation was pacified and the jam road was cleared.

It has been submitted that the petitioner has been shown to be helper of Saroj Devi. Though the petitioner no. 1 has criminal history of the year 2014, but looking to the nature of allegation, his prayer for bail 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, Lakhisarai in connection with Halsi P.S. Case No. 92 of 2018, 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 themselves 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 on two consecutive dates, the prosecution will have liberty to make a prayer for cancellation of his bail before the court below.

(Shivaji Pandey, J)

Mahesh/-

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