

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 28487 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- BAKHTIYARPUR District- Patna

NETI RAI @ NET LAL RAI Son of Late Ram Das Rai Resident of Village-
Naya Tola, Bariyarpur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 17-06-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 504, 447, 307 of the Indian Penal Code and 27 of
the Arms Act.

Informant has alleged that on 07.03.2020 at about
7:00 PM while she was having parched grain (Bhunja) with her
family members, FIR named accused including petitioner came
there armed with country made pistol and threatened her
husband to withdraw case instituted against them and thereafter
accused Rajesh Rai fired, which hit the Guava Tree and
cartridge fell in courtyard (Angan) and thereafter they fled away
abusing and threatening the family members.

It has been submitted on behalf of petitioner that he is

innocent and has been falsely implicated in this case due to previous dispute and animosity. There is no allegation of any overt act against petitioner. No one has suffered any injury on the side of informant. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IIIrd, Barh, Patna, in connection with Bakhtiyarpur P.S. Case No. 74 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following 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 properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court

will be at liberty to cancel his bail bond.

(3) If the 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.

(S. Kumar, J)

Rajiv/veena-

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