

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55324 of 2021

Arising Out of PS. Case No.-118 Year-2021 Thana- BAJPATTI District- Sitamarhi

1. AWDHESH RAI SON OF YOGENDRA RAY RESIDENT OF VILLAGE-MAHMADPUR, POLICE STATION- BAJPATTI, DISTRICT-SITAMARHI
2. KAMLESH RAI SON OF SUKESHWAR RAI RESIDENT OF VILLAGE-MAHMADPUR, POLICE STATION- BAJPATTI, DISTRICT-SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 23-02-2022 Heard the parties.

The petitioners apprehend their arrest in connection with Bajpatti P.S. Case No. 118 of 2021 registered for the offence under Sections 341, 323, 307, 504, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no.2 namely Kamlesh Rai was arrested and died in jail. Hence, he wants to withdraw the application of above named petitioner no.2.

Prayer is allowed.

Accordingly, the anticipatory bail application of petitioner no. 2 namely Kamlesh Rai is dismissed as



infructuous.

Learned counsel for petitioner no. 1 namely Awdhesh Rai submits that he was getting marriage and an altercation occurred, resulted in open fight between the parties. Several persons from the petitioner's side have also suffered injuries.

Taking into consideration the aforesaid aspects, I am inclined to grant benefit of anticipatory bail to the above named petitioner no.1 and in the event of arrest he shall be released on bail, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. as well as the following conditions:-

1. The above named applicant, furnish personal bond of Rs. 20,000/- (Twenty thousand only) with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer.
2. The applicant shall cooperate with the investigation and make himself available for interrogation whenever required.
3. The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,
4. The applicant shall not obstruct or hamper the



police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

5. The applicant shall not leave the territory of Sitamarhi (District name) without prior permission of the court, till trial is over;

6. The applicant shall maintain law and order;

7. The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

8. The applicant shall surrender his passport, if any, before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer;

9. The applicant shall regularly remain present during the trial and cooperate with the Hon'ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

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