

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45260 of 2023

Arising Out of PS. Case No.-177 Year-2022 Thana- NAGARNAUSA District- Nalanda

MUTUR JAMADAR S/O SIVALI JAMADAR R/O VILLAGE-
SAKRORHA PS. NAGARNAUSA DIST. NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-08-2023 Heard the parties.

The petitioner is apprehending arrest in connection with Nagarnausa P.S. Case No. 177 of 2022 instituted under under Sections 147, 148, 149, 447, 323, 379 of the Indian Penal Code lodged on 17.11.2022 by the informant, Ashok Kumar Nirala.

As per the prosecution story, the allegation is that the informant went to see his paddy field and saw the FIR named accused cutting the same. When his father came with double barrel gun, it is alleged that this petitioner snatched the same. Further, they looted the paddy crops and took it on the tractor of the petitioner. Accordingly, the FIR.

Learned counsel for the petitioner submits neither he owns the tractor nor any such paddy crops were taken. Further,



although the allegation is of snatching the double barrel gun of the informant's father and the police alleged to have recovered it from his house, a bare perusal of the seizure list would show that the none of the family members have put in their signature.

Learned APP opposes the prayer.

Considering the fact that seizure list do not have any signature of the accused persons as also any of the his family members, he is a young boy of 22 years and do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Nagarnausa P.S. Case No. 177 of 2022 to the satisfaction of learned A.C.J.M., Hilsa (Nalanda) subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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