

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38285 of 2014

Arising Out of PS.Case No. -9 Year- 2014 Thana -SRI NAGAR District- MADHEPURA

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1. Pappu Mandal Son of Laldhan Mandal resident of village- Madhubani,
P.S.- Srinagar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Indu Kumari Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 22-05-2015

Heard the Counsel for the petitioner and the APP for
the State.

Petitioner apprehends his arrest in connection with
Sri Nagar P.S. Case No. 09 of 2014 instituted under Section 379
and 427 IPC. The Junior Engineer of the Irrigation Department
has alleged in the first information report that the humepipe used
in the canal for irrigation purpose was uprooted and sold by the
petitioner. Counsel submits that there is no eye witness to the
occurrence inasmuch as no recovery has been made of the stolen
humepipe from his possession. He has no criminal antecedent.
Petitioner, if directed, may deposit certain amount as security.

Considering the facts and circumstances of the case, in
the event of arrest or surrender in the Court below within four
weeks, the petitioner abovenamed is directed to be released on

anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in Sri Nagar P.S. Case No. 9 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner secure his arrest in accordance with law.

(iii) Along with the bail bonds, the petitioner shall produce receipt showing deposit of a sum of Rs. 2500/- in the office of the informant or his superior officer. The amount so deposited shall be without prejudice to his right and defence of the case. The deposit so made shall be abide by the final outcome of the case.

(Kishore Kumar Mandal, J)

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