

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10846 of 2016

Arising Out of PS.Case No. -638 Year- 2014 Thana -KANTI District- MUZAFFARPUR

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1. Anil Kumar @ Anil S/o Late Jagnarayan Mahto @ Ghutan Driver R/o
Village- Srisiyakhud, P.S.- Kanti, District-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Binod Kumar-Iii(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 23-05-2016 Heard the Counsel for the petitioner and Mr. M. Dayal, APP
for the State.

Apprehending his arrest in Kanti P.S. Case No. 638 of 2014
registered under Section 395 IPC, the present application for bail
has been filed.

A dacoity was committed in the house of informant in the
night of 14.12.2014 when 25-30 miscreants entered into the house
and looted cash, ornaments, mobile phones etc. An F.I.R. was
lodged against unknown. On 20.12.2014, suspect Mahesh Malik
was arrested who allegedly made statement that while retreating
after commission of dacoity, a pick up van belonging to the
petitioner was used by the miscreants. Except the aforesaid, there
is nothing against the petitioner. Counsel for the petitioner,
referring to paragraph 8 of the bail petition, states that no pick up

van is registered in the name of the petitioner. He is not even a professional driver. The petitioner does not carry any criminal antecedent.

Considering the above, 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 S.D.J.M.(W), Muzaffarpur in Kanti P.S. Case No. 638 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 in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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