

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29442 of 2016

Arising Out of PS.Case No. -103 Year- 2015 Thana -ISHOPUR District- BHAGALPUR

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1. Amol Singh @ Amol Kumar Singh @ Dr. Amol Singh, Son of Late Haru Singh, Resident of Mohalla- Jangalpara, P.S.- Odba Radhanagar, District- Sahebganj (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha
For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 17-10-2016

Heard learned counsel for the petitioner and the State.

The present application seeks anticipatory bail in connection with Ishipur (Barahat) P.S. Case No. 103 of 2015, registered under Section 392 of the IPC.

The informant has alleged that while he was going on the tempo unknown criminals intercepted and looted the tempo. Two suspects were arrested who did not name the petitioner. 04 months after the occurrence, one Md. Panchu is said to have been arrested who disclosed the involvement of the petitioner. In his confessional statement, he is said to have stated that the looted tempo is lying with the petitioner. On a raid being made in the house of the petitioner, the tempo was not recovered. It is stated that the petitioner has no criminal antecedents.

Learned APP for the State, on perusal of the case

diary, has contended that the looted tempo was not found in the house of the petitioner when a search was carried out.

Considering the facts and circumstances of the case this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bhagalpur, in connection with Ishipur (Barahat) P.S. case no. 103 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

Shyam/-

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(Kishore Kumar Mandal, J)