

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12336 of 2016

Arising Out of PS.Case No. -453 Year- 2015 Thana -WAJIRGANJ District- GAYA

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1. Vikas Kumar @ Banti Goswami S/o Sidhnath Goswami, Resident of
Village- Khudaganj, Police Station- Khudaganj, District- Nalanda.
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Bharat Lal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 25-05-2016 Heard Mr. Mukherjee for the petitioner and the APP for
the State.

Petitioner is accused in Wazirganj P.S. Case No. 453 of
2015 registered under Sections 395 and 397 of the Indian Penal
Code.

F.I.R. is lodged against unknown alleging that while the
informant was going on a Pick up van, a Tata Sumo vehicle
overtook and stopped the Pick up van. The informant and other
occupants were relieved of their belongings and Pick up van was
also taken away. The material against the petitioner surfaced
during the investigation in the shape of confessional statement of
co-accused Gautam Kumar who has stated that the Kirana
articles/materials laden on the Pick up van were unloaded at one
godown. Following day, they were shifted to another place. The
petitioner was hired @ Rs. 300/- to transport those articles. Save
and except this, there is nothing against the petitioner. It is stated

that the godown owner where the looted articles were first unloaded or placed has since been granted anticipatory bail by order dated 19.02.2016 passed in Cr. Misc. No. 1575 of 2016. The petitioner has no 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 learned Chief Judicial Magistrate, Gaya in Wazirganj P.S. Case No. 453 of 2015 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.

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(Kishore Kumar Mandal, J)