

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47690 of 2016

Arising Out of PS.Case No. -179 Year- 2016 Thana -KOTWALI District- MUNGER

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1. Md. Jafar, S/O Md. Zahir, Resident of Mohalla- Badi Bazar, P.S.-
Munger, Distict- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 17-11-2016

Heard the Counsel for the petitioner and Mr. M.

Dayal, APP for the State.

Petitioner apprehends his arrest in Kotwali P.S. Case
No. 179 of 2016 registered under sections 411, 413, 414 and 401
of the Indian Penal Code and prayed for grant of anticipatory bail.

On secret information, the Police is said to have
arrested Kumar Sanu @ Chhotu and Md. Dilshad along with
stolen motorcycle. On their confessional statement, names of
several accuseds including the petitioner transpired and hence he
is also named in the First Information Report. A raid was
conducted on the house of the petitioner fromwhere 02 two-
wheelers were seized. Referring to the affidavit and sale document
etc (Annexure-2 series), it is stated that the petitioner and his
brother had purchased those two two-wheelers only few months
prior to the occurrence. The registered owners thereof have

supported the aforesaid fact by filing affidavit. Petitioner, it is stated, carries no criminal antecedent.

Considering the above, I am persuaded to extend the privilege of anticipatory bail to the petitioner.

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, Munger in Kotwali P.S. Case No. 179 of 2016 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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