

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 45431 of 2017

Arising Out of PS.Case No. -383 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Anup Kumar @ Rahul Singh, Son of Deepak Yadav, Resident of Village-
Naya Tola, Jurabganj, Police Station- Kodha, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjay Kumar No-7, Advocate

For the S t a t e : Smt Renuka Ratnakar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 21-09-2017

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 414/34 of Indian Penal Code.

It is submitted that as a result of some secret
information, the informant went near the Allahabad Bank where
the instant petitioner along with one other was found to be under
suspicious circumstance. From there, he has been arrested.
Counsel for the petitioner submits that nothing incriminating has
been recovered from his possession. The black coloured Pulsar
motorcycle belongs to the other co-accused who has been named
in the first information and that he is in custody since 01.06.2017



merely on basis of such suspicious circumstance. Prior to the instant case, the petitioner has no criminal antecedent.

Considering the aforesaid submissions, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in Motihari Town Police Station Case No 383 of 2017 subject to the following conditions:

- (i) *That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.*
- (ii) *That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.*
- (iii) *That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.*
- (iv) *That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.*
- (v) *That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail*



will be liable to be cancelled.

(Madhuresh Prasad, J)

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