

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39357 of 2017

Arising Out of PS.Case No. -75 Year- 2016 Thana -KAKO District- JEHANABAD

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Binod Giri, Son of Mahadeo Giri, Resident of Village- Barnaw Ke
Dakhinwari Mathiya, P.S.- Ayar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Nand Kishore Pd., A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 12-09-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Kako P.S. Case
No. 75 of 2016 instituted for the offence under Section 394 of the
Indian Penal Code.
- It has been submitted that petitioner is not named in
the written report but his name has come in the confessional
statement of co-accused Deepak Giri who is his son. It is said that
owner book and insurance paper of the vehicle was recovered
from the joint house of the petitioner. The seizure list bears the
signature of Deepak Giri. It has further been submitted that
petitioner is not named in the written report.
- From the order sheet of the court below it appears that
no Test Identification parade has been held in this case.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Kako P.S. Case No. 75 of 2016, he shall 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 Shri R.K. Rajak, learned Additional Chief Judicial Magistrate, Jehanabad, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

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(Sanjay Priya, J)

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