

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53637 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -FATUHA District- PATNA

=====

Kunal Kumar, S/o Santosh Singh, Resident of Naya Tola Haranhiya, P.S.-
Bakhtiyarpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

For the Opposite Party/s : Mr. Ram Priya Saran Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Fatuha P.S. Case No. 02 of 2017** instituted for the offence under Section 394 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that he is not named in the written report. In the written report it is alleged that unknown criminals looted Rs.1,82,000/- from the room of the owner Arun Babu of Shubhkamna Petrol Pump, Fatuha and they have bolted the room of the owner wherein the informant along with five staffs were present.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

From the impugned order as well as case diary it appears that name of this petitioner has been disclosed by co-accused Kanhaiya



Kumar as mentioned in paragraph-48 of the case diary.

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 **Fathua P.S. Case No. 02 of 2017**, 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 learned Ms. Jabin Jamal, learned **Judicial Magistrate, 1st Class, Patna City**, 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.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

