

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 17347 of 2017

Arising Out of PS.Case No. -56 Year- 2016 Thana -KAARAMCHAT SAHAYAK District-
BHABHUA (KAIMUR)

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Albela Pandey Son of Lallan Pandey Resident of Village-Majhiyaon, P.S.-
Karamchat, District-Kaimur (Bhabua).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ajay Nandan Sahay, Advocate

For the Opposite Party/s : Mr Sadanand Paswan, APP

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CORAM: HONOURABLE MR JUSTICE SANJAY PRIYA

ORAL ORDER

3 17-05-2017 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends arrest in connection with
Karamchat Police Station Case No 56 of 2016 instituted for the
offence under Sections 302/34 of Indian Penal Code and Section 3
(i) (r) (s) of Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

It has been submitted on behalf of the petitioner that
anticipatory bail of co-accused, with similar allegation, has
already been allowed by this Court by order dated 27.03.2017
passed in Cr Misc No 14024 of 2017. The aforesaid order has
been annexed as Annexure 4. From perusal of the aforesaid order,



it appears that the case of the petitioner stands on similar footing. It is mentioned in paragraph 3 of the petition that petitioner has been made accused in two other cases out of which in Karamchat PS Case No 17 of 2016, police has submitted final form as untrue and in Karamchat PS Case No 29 of 2016, petitioner has been bailed out from the Court of Chief Judicial Magistrate itself.

In 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 above named within six weeks from today in connection with Karamchat Police Station Case No 56 of 2016, he shall be released on anticipatory 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, Kaimur at Bhabhua subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code 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)

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