

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6768 of 2017

Arising Out of PS.Case No. -20 Year- 2016 Thana -SHANKARPUR District- MADHEPURA

1. Pappu Kumar, son of Shri Hariballav Yadav, resident of village-
Haribola, Police Station- Kumarkhand, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Kumar, Advocate

For the Opposite Party/s : Mr. Rajkishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 13-04-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Shankarpur
P.S. Case No.20 of 2016 instituted for the offence under
Section(s) 392 Indian Penal Code.

It has been submitted on behalf of the petitioner that
the police after investigation did not find any material against the
petitioner and, therefore, no charge-sheet was submitted against
him. The learned Magistrate has, however, taken cognizance
against the petitioner also for the offence under Section 392
Indian Penal Code.

It is mentioned in the impugned order itself that in
para 73, 74, 75, 78 and 99 of the case diary witnesses have stated
that the petitioner was not present at the place of occurrence. It is



mentioned in para 3 that the petitioner has no criminal antecedents.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Shankarpur P.S. Case No.20 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura, 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)

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