

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11707 of 2017

Arising Out of PS.Case No. -219 Year- 2016 Thana -MASAURHI District- PATNA

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1. Sadhu Yadav, Son of Late Ram Narayan Prasad, Resident of Mohalla-Barhi Tola, P.S.- Masaurhi, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 27-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Masaurhi P.S.

Case No. 219 of 2016 initiated for the offence under Section-394 of the Indian Penal Code.

It is alleged that on the date of occurrence, while the informant was going by cycle with Rs. 3,50,000/- he was assaulted by three unknown persons with butt of pistol. Some one poured chilly powder in the eye.

The C.D. has been received.

Learned APP has submitted that name of the petitioner was disclosed by co-accused Nitish at para-30 of the C.d. Similarly, other co-accused Deepak Kumar and Santosh have disclosed the name of petitioner at paragraphs-31 & 32 of the C.D. Similar fact was mentioned by the learned Sessions Judge in the impugned order.

Accordingly, prayer for anticipatory bail is allowed it



is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Masaurhi P.S. Case No. 219 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Masaurhi at Patna subject to condition as laid down u/S 438(2) of the 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 petitioners 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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