

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35029 of 2017

Arising Out of PS.Case No. -310 Year- 2016 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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Rupesh Giri @ Rupesh Kumar Giri, son of Balister Giri, resident of
Village- Mathiya Tola, Police Staton- Nautan, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party/s : Smt. Indu Bala Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 21-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Trial No. 3539 of
2017 arising out of Nautan P.S. Case No. 310 of 2016 instituted for the
offence under Sections 341, 323, 354(A), 379, 457, 504, 506 and 511
of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
charge sheet has been submitted under bailable Section except Section
354 Indian Penal Code and accordingly cognizance has also been taken
under Section 354 of the Indian Penal Code. There is no any occurrence
committed by this petitioner under Section 354 of the Indian Penal
Code.

In the written report, it is alleged that petitioner attempted
to snatch Mangal Sutra of the daughter of the informant but she caught
his collar and, thereafter, the petitioner fled away.



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

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 Trial No. 3539 of 2017 arising out of Nautan P.S. Case No. 310 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 learned 6th Additional Chief Judicial Magistrate, Bettiah, West Champaran, 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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