**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Miscellaneous No.34080 of 2017**

Arising Out of PS.Case No. -6 Year- 2017 Thana -MOTIHARI RAIL P.S. District- WESTCHAMPARAN(BETTIAH)

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1. Karan Kumar @ Karan Gupta, S/o Vinod Sah,
2. Bhola Kumar, S/o Vinod Sah,

Both R/o Jivdhara, P.s.- Pipra Kothi, District- East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Patanjali Rishi, Advocate.
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**
ORAL ORDER

4 30-08-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Motihari Rail P.S. Case No. 06 of 2017 instituted for the offence under Section 379 of the Indian Penal Code.

It has been submitted that petitioners are not named in the written report. They have no criminal antecedent. Their names have been disclosed by one of the person who was apprehended by the police in his confession.

From the written report it appears that petitioner is not named.

Considering the facts and circumstances of the case,

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prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Motihari Rail P.S. Case No. 06 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate (Railway), 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) petitioners 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 petitioners tamper 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 petitioners.

**(Sanjay Priya, J)**

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