

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29857 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Nitesh @ Nitesh Kumar @ Nahki, S/o Shambhu Das, R/o Vill Phulwariya,
P.S. Sugauli Dist. E. Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioner and learned
Addl. Public Prosecutor for the State.

The petitioner apprehends his arrest in Sugauli P.S. Case
No. 16 of 2017 instituted for the offence under Section-414 of the
Indian Penal Code.

It is alleged in the written report that one Hari Om
Mishra was apprehended along with motorcycle without any valid
papers. He disclosed the name of the petitioner before the police
and other accused.

In this manner, besides disclosure of name of the
petitioner by the accused person, who was apprehended by the
police, there is no any other allegation of overt act against the
petitioner. In paragraph-3, it has been mentioned that petitioner
has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner, named above in the event of their arrest/surrender in the court below within six weeks from today shall be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each in connection with Sugauli P.S. Case No. 16 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran subject to conditions 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 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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