

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33942 of 2017

Arising Out of PS.Case No. -123 Year- 2017 Thana -MAIRWA District- SIWAN

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Deepak @ Deepak Kumar @ Laddu @ Laddu Prasad, son of late Suresh Prasad, r/o village- Majhauili Chowk Mairwa, P.S.- Mairwa, Distirct-Siwan.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 20-07-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Mairwa P.S. Case No.123 of 2017 instituted for the offence under Section(s) 147, 149, 353, 290, 332, 504, 506, 120-B Indian Penal Code and Section 179 of the Motor Vehicle Act.

It has been submitted that the petitioner is the driver of the Pickup Van. There is general and omnibus allegation in the written report that Pick up Van was parked in vegetable market and thereafter when the petitioner was asked to remove the vehicle, the petitioner along with 40-50 persons caused obstruction in the official duty of the informant and also abused them.

It has further been submitted that one of the co-accused, Sanjay Kumar Gupta @ Sanjay Gupta, has already been



granted anticipatory bail by a co-ordinate Bench of this Court by order dated 01.07.2017 passed in Cr. Misc. No.27682 of 2017.

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 Mairwa P.S. Case No.123 of 2017, 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 Additional Chief Judicial Magistrate, VII, Siwan, 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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