

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32597 of 2017

Arising Out of PS.Case No. -155 Year- 2011 Thana -KHODABANDPUR District- BEGUSARAI
=====

1. Manoj Yadav @ Manoj Kumar Son of sri Satya Narayan Yadav,
Resident of Village-Bakhadda, P.O.-Chhaurahi, P.S.-Khodawandpur,
District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

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

Appearance :

For the Petitioner/s : Mr. Fahad Khurshid

For the Opposite Party/s : Mr. Sri Matloob Rab
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Khodabandpur
P.S. Case No. 155 of 2011 instituted for the offence under
Section-392 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the
petitioner is not named in the first information report. His name
has come in the confessional statement of co-accused, Mukesh
Paswan who was arrested by the police.

From the written report, it appears that the petitioner is
not named in the first informant report. The informant has alleged
that his motorcycle was snatched by two boys and he learnt
confidentially that one Santosh Kumar on Yamaha has come with
one boy and as such, besides disclosure of his name by co-



accused, Mukesh Paswan, there is no any other allegation of overt act against the petitioner in this case.

In such circumstances, 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 six 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 Khodabandpur P.S. Case No. 155 of 2011 to the satisfaction of Sri R.N. Raman, learned Judicial Magistrate-Ist Class, Begusarai 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 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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