

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32330 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -BELHAR District- BANKA

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1. Subodh Das @ Bholi Das, S/o Tej Narayan Das, resident of village-
Kuraba, P.S.- Belhar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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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 Belhar P.S.
Case No.73 of 2017 instituted for the offence under Section(s)
392 Indian Penal Code.

It has been submitted that the petitioner has clean
antecedents. He has not been apprehended at the spot. His name
has been disclosed by the villagers.

In the written report, it is alleged that 3-4 persons
stopped the motorcycle of the informant and after assaulting with
Lathi and *Danda* took away the bag from the dickey of the
motorcycle containing rupees eighty nine thousand and odd and
other articles as mentioned in the written report.

There is no recovery from the possession of the



petitioner. The petitioner has clean antecedents. It is mentioned in the written report itself that the villagers disclosed the name of this petitioner. He was not caught at the spot.

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 Belhar P.S. Case No.73 of 2017, 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 the ACJM-II, Banka, 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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