

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38351 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -BARHARA District- BHOJPUR

=====

Santosh Kumar Pathak, S/o Raj Kumar Pathak, R/o Village- Barahara, P.S.-
Barahara, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amarendra Kumar

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Barhara P.S. Case No.
60 of 2017 instituted for the offence under Sections-427, 337, 338, 290,
436, 395, 397 & other minor Sections of the Indian Penal Code and
27 of the Arms Act.

It has been submitted that the petitioner is said to be mere a
member of the mob. There is no allegation of any specific overt act
against the petitioner. The other co-accused persons with similar
allegation, have already been granted anticipatory bail by a coordinate
bench of this court vide order dated 10-08-2017 passed in Cr. Misc. No.
35543 of 2017.

In such circumstances, prayer for anticipatory bail is
allowed and 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 in Barhara P.S. Case No. 60 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara 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)

A.K.V./-

U		T	
---	--	---	--

