

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41572 of 2017

Arising Out of PS.Case No. -156 Year- 2016 Thana -KOILWAR District- BHOJPUR

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1. Karn Kumar Son of Jai Kumar R/o Village - Kolharampur, P.S. -
Barhara, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Koilwar P.S. Case No.
156 of 2016 instituted for the offence under Sections-399, 402 of the
Indian Penal Code and 25(1-b)a/26/35 of the Arms Act.

It has been submitted that name of this petitioner has been
disclosed by Rupesh Kumar who was apprehended by police along with
motorcycle and fire-arms as mentioned in the written report. In the
written report, it is alleged that police while on patrolling duty,
apprehended one person, Rupesh Kumar on motorcycle and on search,
fire arms were recovered from his possession. .He disclosed the name
of this petitioner and another person Bir Bahadur Rai. In paragraph-3 of
the petition, it has been mentioned that the 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 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 Koilwar P.S. Case No. 156 of 2016 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)

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