

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38466 of 2017

Arising Out of PS.Case No. -250 Year- 2017 Thana -KHAZANIHAT District- PURNIA

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Ghaltu Singh @ Roshan Kumar Singh @ Gholtu Singh son fo Pahalwan
Singh @ Rajiv Singh, resident of Mohala Maghi Colony, Chhath Pokhar,
P.S. K. Hat, Sahayak, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2017 Heard the parties.

The petitioner is apprehending arrest in connection with K.Hat (Sahayk) P.S.Case No.250 of 2017 registered for offences punishable under Sections 25(1-B)(A), 26 and 35 of the Indian Penal Code.

The petitioner is not named in the F.I.R. rather from the F.I.R. it appears that recovery is from the co-accused and on his disclosure, he has been made accused in this case.

Submission of the learned counsel for the petitioner is that he has not been made accused in the F.I.R. and nothing has been recovered from his possession as well as he has no criminal antecedent. Further submission is that one of the co-accused having similar allegation has been granted privilege of anticipatory bail by this Court vide order dated 1.7.2017 passed in Cr. Misc. No.27699 of 2017.



Heard learned A.P.P. also.

Having heard both sides and in view of the fact that another co-accused has already been granted anticipatory bail by this Court, as such let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Addl. Sessions Judge, Purnea in connection with K. Hat (Sahayk) P.S.Case No.250 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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