

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46504 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -PATLIPUTRA District- PATNA

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Binod Murmu, Son of Late Kernabash Murmu, Resident of Mohalla Old Patliputra, Makan No. 48, Post & P.S. Patliputra, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Prasad Singh, Advocate

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Patliputra P.S.

Case No. 46 of 2017 instituted for the offence under Section 381 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that he was care taker of the house of the informant. The petitioner has informed about the theft to the police in absence of the informant. The informant has falsely implicated the petitioner in the instant case merely on suspicion and also due to dispute of wages between the informant and petitioner.

From the written report it is apparent that the informant had gone out of the house and during that period the petitioner was care taker of the house. The petitioner informed the informant and the police about theft committed in the house of the informant. Mere suspicion



has been raised by the informant against this petitioner. There is no recovery of any article from possession of this petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Patliputra P.S. Case No. 46 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 learned Additional Chief Judicial Magistrate-XII, Patna, 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.

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(Sanjay Priya, J)

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