

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48621 of 2017

Arising Out of PS.Case No. -30 Year- 2015 Thana -BELHAR District- BANKA

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1. Gulshan Kumar Singh @ Rohit Kumar Singh, Son of Tunam Kumar Singh, Resident of Village- Kurmadih, P.S. Shambhuganj, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Belhar P.S. Case No. 30 of 2015 instituted for the offence under Section-395 of the Indian Penal Code.

It has been submitted that the petitioner is not named in the written report. There is no recovery from possession of the petitioner. His name has been disclosed by co-accused Abhishek Kumar while he was apprehended in connection with Banka P.S. Case No. 195 of 2015 registered under Sections-399, 402 of the Indian Penal Code and 25(i-B)a, 26 & 35 of the Arms Act. It has been submitted that Abhishek Kumar has been granted anticipatory bail by a coordinate bench of this court vide order dated 01-11-2017 passed in Cr. Misc. No. 36354 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 Belhar P.S. Case No. 30 of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka 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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