

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37010 of 2017

Arising Out of PS.Case No. -97 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Vinod Kumar Son of Dewan Ram, Resident of Village- Kanhauli
Dhanraj, Police Station- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vasant Vikas

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Mahua P.S. Case No. 97
of 2017 instituted for the offence under Sections-120B, 457, 380 of the
Indian Penal Code.

It is alleged in the written report that this petitioner
informed the informant on telephone that lock of house was broken.
The informant came from Gauhati and found that several articles
including jewellery have been stolen. It is further alleged that the
informant raised suspicion in the written report that this petitioner along
with Rimjhim Kumari and her husband has committed the theft.

It has been submitted that no incriminating article has been
recovered from his possession.

From the impugned order, it appears that after perusal of the
case diary, the learned Sessions Judge did not find any substantial



material against this petitioner. It has been mentioned at paragraph-3 of the petition that the petitioner has clean 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 in Mahua P.S. Case No. 97 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur 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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